

AMENDED IN SENATE JUNE 24, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 180

Introduced by Committee on Budget (Evans (Chair), Arambula, Beall, Blumenfield, Brownley, Caballero, Carter, De La Torre, Feuer, Hill, Huffman, Monning, Ruskin, and Swanson)

February 2, 2009

~~An act relating to the Budget Act of 2009. An act to amend and supplement the Budget Act of 2009 (Chapter 1 of the 2009–10 Third Extraordinary Session) by amending Items~~ 0250-001-0001, 0250-001-0159, 0250-001-0932, 0250-001-3037, 0250-001-3066, 0250-012-0001, 0250-101-0001, 0250-101-0932, 0250-102-0556, 0250-111-0001, 0250-112-0001, 0250-301-0660, 0250-301-3037, 0502-001-0001, 0502-001-9740, 0510-001-0001, 0510-001-9740, 0520-001-0001, 0520-001-0044, 0530-001-9732, 0540-001-0140, 0540-001-6031, 0540-001-6051, 0540-490, 0555-001-0028, 0555-001-0044, 0555-001-0235, 0559-001-0001, 0559-001-3078, 0650-001-0001, 0650-001-0890, 0690-001-0001, 0690-001-0890, 0690-001-6061, 0690-101-0890, 0690-102-0214, 0690-102-0890, 0820-001-0001, 0820-001-0378, 0820-001-0890, 0820-001-3086, 0840-001-0001, 0840-001-0061, 0840-001-0062, 0840-001-0330, 0840-001-0890, 0840-001-0903, 0840-001-0970, 0840-001-0988, 0840-001-6057, 0840-001-9740, 0840-011-0494, 0840-011-0797, 0840-011-0988, 0855-111-0367, 0860-001-0001, 0860-001-0022, 0860-001-0061, 0860-001-0623, 0860-001-3015, 0950-001-0001, 0950-001-9740, 0968-001-0457, 1111-002-0582, 1730-001-0001, 1730-001-0044, 1730-001-0064, 1730-001-0242, 1760-001-0666, 1760-101-0022, 1870-001-0001, 1870-001-0890, 1870-101-0890, 1880-001-0001, 1900-015-0815, 1900-015-0820, 1900-015-0830, 1900-015-0833, 1900-015-0884, 2240-001-0648, 2240-101-0001,

2240-101-0890, 2320-001-0317, 2660-001-0042, 2660-001-0890,
2660-001-6801, 2660-002-3007, 2660-002-3008, 2660-004-6055,
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3360-001-3117, 3480-001-0001, 3480-001-0133, 3480-001-0141,
3480-001-0336, 3480-001-3046, 3480-101-0005, 3540-001-0001,
3540-001-0140, 3540-001-0235, 3540-001-0890, 3540-001-3120,
3600-001-0001, 3600-001-0005, 3600-001-0200, 3600-001-0235,
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3760-301-0262, 3760-301-0371, 3760-301-0593, 3760-301-6051,
3760-301-6076, 3790-001-0001, 3790-001-0235, 3790-001-0263,
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3860-101-6052, 3860-301-6052, 3910-001-0387, 3910-001-0890,
3930-001-0106, 3940-001-0235, 3940-001-0439, 3940-001-0890,
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4280-111-0236, 4280-112-0232, 4280-112-0233, 4280-112-3133,
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 7100-001-0869, 7100-001-0870, 7100-011-0185, 7100-011-0890,
 7100-021-0890, 7100-101-0588, 7100-101-0869, 7100-101-0871,
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 8570-001-0001, 8570-001-0111, 8570-001-0890, 8660-001-0462,
 8860-001-0001, 8885-295-0001, 8940-001-0001, 8955-001-0001,
 9100-101-0001, 9620-001-0001, 9655-001-0001, 9655-001-0494,
 9800-001-0001, 9800-001-0494, 9800-001-0988, and 9840-001-0001
 of, by adding Items 0250-001-3138, 0250-111-0159, 0250-111-0556,
 0250-111-3138, 0250-301-3138, 0250-490, 0502-001-0022,
 0502-001-0666, 0502-001-9730, 0502-101-0022, 0502-301-0001,
 0502-301-0042, 0502-301-0044, 0502-301-0200, 0502-301-0768,
 0530-001-3151, 0540-491, 0540-493, 0559-011-3078, 0650-102-0890,
 0650-490, 0690-001-0214, 0690-001-1014, 0690-301-0890,
 0820-001-3136, 0820-011-0317, 0911-001-0001, 0968-101-0890,
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 2660-011-0042, 2740-001-3154, 2740-011-0044, 2740-491, 3125-490,

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LEGISLATIVE COUNSEL'S DIGEST

AB 180, as amended, Committee on Budget. Budget Act of 2009: revisions.

~~This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2009.~~

The Budget Act of 2009 (Chapter 1 of the 2009–10 Third Extraordinary Session) made appropriations for the support of state government for the 2009–10 fiscal year.

This bill would make revisions in those appropriations for the 2009–10 fiscal year. The bill would make specified reductions in certain appropriations.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: ~~majority~~^{2/3}. Appropriation: ~~no~~-yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~
2 ~~changes relating to the Budget Act of 2009.~~

3 *SECTION 1. For purposes of this act, the “Budget Act of 2009”*
4 *means Chapter 1 of the 2009–10 Third Extraordinary Session, as*
5 *amended by Chapter 3 of the 2009–10 Third Extraordinary Session.*

6 *SEC. 2. Item 0250-001-0001 of Section 2.00 of the Budget Act*
7 *of 2009 is amended to read:*

8		
9	0250-001-0001—For support of Judicial Branch.....	354,945,000
10		354,711,000
11	Schedule:	
12	(1) 10-Supreme Court.....	47,299,000
13		47,283,000
14	(2) 20-Courts of Appeal.....	208,912,000
15		208,694,000
16	(3) 30-Judicial Council.....	119,412,000
17	(4) 35-Judicial Branch Facility Program.....	2,217,000
18	(5) 50-California Habeas Corpus Resource	
19	Center.....	15,064,000
20	(5.5) 97.20.001-Unallocated Reduction.....	-21,286,000
21	(6) Reimbursements.....	-7,572,000
22	(7) Amount payable from the Motor Vehicle	
23	Account, State Transportation Fund	
24	(Item 0250-001-0044).....	-184,000

- 1 (8) Amount payable from the Court Inter-
 2 preters' Fund (Item 0250-001-0327)..... -161,000
 3 (9) Amount payable from the Federal Trust
 4 Fund (Item 0250-001-0890)..... -4,475,000
 5 (10) Amount payable from the Appellate
 6 Court Trust Fund (Item 0250-001-
 7 3060)..... -4,281,000

8 Provisions:

- 9 1. Notwithstanding Section 26.00, the funds appropriated
 10 or scheduled in this item may be allocated or reallocat-
 11 ed among categories by order of the Judicial Council.
 12 2. Of the funds appropriated in this item, \$200,000 is
 13 available for reimbursement to the Attorney General,
 14 or for hiring outside counsel, for prelitigation and liti-
 15 gation fees and costs, including any judgment, stipu-
 16 lated judgment, offer of judgment, or settlement. This
 17 amount is for use in connection with (a) matters arising
 18 from the actions of appellate courts, appellate court
 19 bench officers, or appellate court employees, (b) mat-
 20 ters arising from the actions of the Judicial Council,
 21 council members, or council employees or agents, (c)
 22 matters arising from the actions of the Administrative
 23 Office of the Courts or its employees, or (d) employ-
 24 ment litigation arising from the actions of trial courts,
 25 trial court bench officers, or trial court employees.
 26 Either the state or the Judicial Council must be named
 27 as a defendant or alleged to be the responsible party.
 28 Any funds not used for this purpose shall revert to the
 29 General Fund.
 30 3. The funds appropriated in Schedule (5) shall be
 31 available for costs associated directly or indirectly
 32 with the California Habeas Corpus Resource Center
 33 (CHCRC). The CHCRC shall report to the Legislature
 34 and the ~~Department~~ *Director* of Finance on September
 35 1, 2009, and April 1, 2010, on expenditures, specifi-
 36 cally detailing personal services expenditures, operating
 37 expenses, and equipment expenditures.
 38 4. Notwithstanding any other provision of law, upon ap-
 39 proval and order of the ~~Department~~ *Director* of Fi-
 40 nance, the amount appropriated in this item shall be

reduced by the amount transferred in Item 0250-011-0001 to provide adequate resources to the Judicial Branch Workers' Compensation Fund to pay workers' compensation claims for judicial branch employees and justices, and administrative costs pursuant to Section 68114.10 of the Government Code.

SEC. 3. Item 0250-001-0159 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-001-0159—For support of Judicial Branch, payable from the Trial Court Improvement Fund.....	9,574,000
Provisions:	
1. Notwithstanding any other provision of law, upon approval by the Administrative Director of the Courts, and notification to the Department of Finance, the chairpersons of the committees in each house of the Legislature that consider appropriations and the State Budget, and the Chairperson of the Joint Legislative Budget Committee; the Controller shall increase this item by no more than \$2,847,000 up to \$18,673,000 for recovery of costs for administrative services provided to the trial courts by the Administrative Office of the Courts. Any augmentation shall be authorized no sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations, the chairpersons of the committees and appropriate subcommittees that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee or his or her designee may determine.	

SEC. 4. Item 0250-001-0932 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-001-0932—For support of Judicial Branch, payable from the Trial Court Trust Fund.....	7,057,000
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Schedule:

(1) 30-Judicial Council..... 7,057,000

Provisions:

1. Upon approval of the Administrative Director of the Courts, the Controller shall increase this item by an amount sufficient to allow for the expenditure of any transfer to this item made pursuant to Provision 8 of Item 0250-101-0932.

2. *Upon approval of the Administrative Office of the Courts, the Controller shall increase this item by an amount sufficient to allow for the expenditure of any transfers to this item made pursuant to Provision 13 of Item 0250-101-0932.*

SEC. 5. Item 0250-001-3037 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-001-3037—For support of Judicial Branch, payable from the State Court Facilities Construction Fund..... ~~73,267,000~~
66,159,000

Schedule:

(1) 30-Judicial Council..... 7,933,000

(2) 35-Judicial Branch Facility Program..... ~~75,334,000~~

68,226,000

(3) Reimbursements..... -10,000,000

Provisions:

1. The Director of Finance may augment this item by an amount not to exceed available funding in the State Court Facilities Construction Fund, after review of a request submitted by the Administrative Office of the Courts that demonstrates a need for additional resources associated with and including, but not limited to, the transfer, acquisition, rehabilitation, construction, or financing of court facilities. This request shall be submitted no later than 60 days prior to the effective date of the augmentation. Any augmentation shall be authorized no sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations, the chairpersons of the committees and appropri-

ate subcommittees that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee or his or her designee may determine.

2. Notwithstanding any other provision of law, upon approval and order of the ~~Department~~ *Director* of Finance, the amount appropriated in this item shall be reduced by the amount transferred in Item 0250-011-0001 to provide adequate resources to the Judicial Branch ~~Worker's~~ *Workers'* Compensation Fund to pay workers compensation claims for judicial branch employees and administrative costs in accordance with Section 68114.10 of the Government Code.
3. *Notwithstanding Section 70374 of the Government Code, \$1,155,000 of the funds appropriated in this item shall be available for the Office of Court Construction and Management, within the Administrative Office of the Courts, to manage and oversee existing facilities for the trial courts, courts of appeal, Administrative Office of the Courts, and the Habeas Corpus Resource Center.*

SEC. 6. Item 0250-001-3066 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-001-3066—For support of Judicial Branch, payable from	
the Court Facilities Trust Fund.....	24,899,000
	89,581,000

Schedule:

- | | |
|--|------------|
| (1) 35-Judicial Branch Facility Program..... | 26,423,000 |
| | 91,105,000 |
| (2) Reimbursements..... | -1,524,000 |

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures in excess of this item for the operation, repair, and maintenance of court facilities pursuant to Section 70352 of the Government Code.

SEC. 7. Item 0250-001-3138 is added to Section 2.00 of the Budget Act of 2009, to read:

0250-001-3138—For support of Judicial Branch, payable from the Immediate and Critical Needs Account, State Court Facilities Construction Fund..... 10,000,000

Schedule:

(1) 35-Judicial Branch Facility Program.... 10,000,000

SEC. 8. Item 0250-012-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-012-0001—For transfer by the Controller to the Court Facilities Trust Fund..... ~~5,887,000~~
5,785,000

SEC. 9. Item 0250-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-101-0001—For local assistance, Judicial Branch..... ~~19,224,000~~
18,409,000

Schedule:

- (1) 45.10-Support for Operation of Trial Courts..... ~~7,101,000~~
6,430,000
- (2) 45.55.010-Child Support Commissioners Program (Article 4 (commencing with Section 4250) of Chapter 2 of Part 2 of Division 9 of the Family Code)..... 54,332,000
- (3) 45.55.020-California Collaborative and Drug Court Projects..... ~~5,806,000~~
5,791,000
- (4) 45.55.030-Federal Child Access and Visitation Grant Program..... 800,000
- (5) 45.55.050-Federal Court Improvement Grant Program..... 700,000
- (6) 45.55.070-Grants—Other..... 745,000
- (7) 45.55.080-Federal Grants—Other..... 775,000

(8) 45.55.090-Equal Access Fund Pro-	
gram.....	10,905,000
	10,776,000
(9) Reimbursements.....	-59,665,000
(10) Amount payable from Federal Trust	
Fund (Item 0250-101-0890).....	-2,275,000

Provisions:

1. In order to improve equal access and the fair administration of justice, the funds appropriated in Schedule (8) are to be distributed by the Judicial Council through the Legal Services Trust Fund Commission to qualified legal services projects and support centers as defined in Sections 6213 to 6215, inclusive, of the Business and Professions Code, to be used for legal services in civil matters for indigent persons. The Judicial Council shall approve awards made by the commission if the council determines that the awards comply with statutory and other relevant guidelines. Ten percent of the funds in Schedule (8) shall be for joint projects of courts and legal services programs to make legal assistance available to pro per litigants and 90 percent of the funds in Schedule (8) shall be distributed consistent with Sections 6216 to 6223, inclusive, of the Business and Professions Code. The Judicial Council may establish additional reporting or quality control requirements consistent with Sections 6213 to 6223, inclusive, of the Business and Professions Code.
2. The amount appropriated in Schedule (1) is available for reimbursement of court costs related to the following activities: (a) payment of service of process fees billed to the trial courts pursuant to the provisions of Chapter 1009 of the Statutes of 2002;; (b) payment of the court costs payable under Sections 4750 to 4755, inclusive, and Section 6005 of the Penal Code;; and (c) payment of court costs of extraordinary homicide trials.

SEC. 10. Item 0250-101-0932 of Section 2.00 of the Budget Act of 2009 is amended to read:

1	0250-101-0932—For local assistance, Judicial Branch,	
2	payable from the Trial Court Trust Fund.....	2,926,185,000
3		2,943,158,000
4	Schedule:	
5	(1) 45.10-Support for Operation of the	
6	Trial Courts.....	2,721,342,000
7		2,517,940,000
8	(2) 45.25-Compensation of Superior Court	
9	Judges.....	299,046,000
10		296,205,000
11	(3) 45.35-Assigned Judges.....	26,326,000
12		26,047,000
13	(4) 45.45-Court Interpreters.....	93,908,000
14		92,794,000
15	(5) 45.55.060-Court Appointed Special	
16	Advocate (CASA) Program.....	2,320,000
17		2,292,000
18	(6) 45.55.065-Model Self-Help Program....	1,003,000
19		991,000
20	(7) 45.55.090-Equal Access Fund Pro-	
21	gram.....	5,753,000
22		5,685,000
23	(8) 45.55.095-Family Law Information	
24	Centers.....	361,000
25		357,000
26	(9) 45.55.100-Civil Case Coordination.....	858,000
27		848,000
28	(10) 97.20.001-Unallocated Reduction....	-224,732,000
29		0
30	(11) Reimbursements.....	-1,000
31	Provisions:	
32	1. Notwithstanding Section 26.00, the funds appropriated	
33	or scheduled in this item may be allocated or reallocat-	
34	ed among categories by the Judicial Council.	
35	2. The funds appropriated in Schedule (2) shall be made	
36	available for costs of the workers' compensation pro-	
37	gram for trial court judges.	
38	3. The amount appropriated in Schedule (3) shall be made	
39	available for all judicial assignments. Schedule (3)	
40	expenditures for necessary support staff may not ex-	

ceed the staffing level that is necessary to support the equivalent of three judicial officers sitting on assignments.

4. The funds appropriated in Schedule (4) shall be for payments for services of contractual court interpreters, and certified and registered court interpreters employed by the courts, and the following court interpreter coordinators: 1.0 each in counties of the 1st through the 15th classes, 0.5 each in counties of the 16th through the 31st classes, and 0.25 each in counties of the 32nd through the 58th classes. For the purposes of this provision, "court interpreter coordinators" may be full- or part-time court employees, or those contracted by the court to perform these services.

The Judicial Council shall set statewide or regional rates and policies for payment of court interpreters, not to exceed the rate paid to certified interpreters in the federal court system.

The Judicial Council shall adopt appropriate rules and procedures for the administration of these funds. The Judicial Council shall report to the Legislature and Director of Finance annually regarding expenditures from this schedule.

5. Upon order of the Director of Finance, the amount available for expenditure in this item may be augmented by the amount of any additional resources available in the Trial Court Trust Fund, which is in addition to the amount appropriated in this item. Any augmentation shall be authorized no sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations, the ~~chairperson~~ *chairpersons* of the ~~committee~~ *committees* and appropriate subcommittees that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee or his or her designee may determine.

6. Notwithstanding any other provision of law, upon approval and order of the ~~Department~~ *Director* of Fi-

1 nance, the amount appropriated in this item shall be
2 reduced by the amount transferred in Item 0250-115-
3 0932 to provide adequate resources to the Judicial
4 Branch Workers' Compensation Fund to pay workers'
5 compensation claims for judicial branch employees
6 and judges, and administrative costs pursuant to Sec-
7 tion 68114.10 of the Government Code.

- 8 7. Of the funds appropriated in Schedule (1), which will
9 be transferred to the Trial Court Improvement Fund
10 in accordance with subdivision (b) of Section 77209
11 of the Government Code, up to \$5,000,000 shall be
12 available for support of services for self-represented
13 litigants.

- 14 8. Upon approval by the Administrative Director of the
15 Courts, ~~and notification to the Department of Finance,~~
16 ~~the chairpersons of the committees in each house of~~
17 ~~the Legislature that consider appropriations and the~~
18 ~~State Budget, and the Chairperson of the Joint Legisla-~~
19 ~~tive Budget Committee,~~ the Controller shall transfer
20 ~~by no more than \$3,953,000 up to \$11,274,000~~ to Item
21 0250-001-0932 for recovery of costs for administrative
22 services provided to the trial courts by the Administra-
23 tive Office of the Courts. ~~Any augmentations shall be~~
24 ~~authorized no sooner than 30 days after notification~~
25 ~~in writing to the chairpersons of the committees in~~
26 ~~each house of the Legislature that consider appropri-~~
27 ~~tions, the chairpersons of the committees and appropri-~~
28 ~~ate subcommittees that consider the State Budget, and~~
29 ~~the Chairperson of the Joint Legislative Budget Com-~~
30 ~~mittee, or not sooner than whatever lesser time the~~
31 ~~chairperson of the joint committee or his or her de-~~
32 ~~signee may determine.~~

- 33 9. In order to improve equal access and the fair adminis-
34 tration of justice, the funds appropriated in Schedule
35 (7) are available for distribution by the Judicial
36 Council through the Legal Services Trust Fund Com-
37 mission to qualified legal services projects and support
38 centers as defined in Sections 6213 to 6215, inclusive,
39 of the Business and Professions Code, to be used for
40 legal services in civil matters for indigent persons. The

Judicial Council shall approve awards made by the commission if the council determines that the awards comply with statutory and other relevant guidelines. Upon approval by the Administrative Director of the Courts, the Controller shall transfer up to 5 percent of the funding appropriated in Schedule (7) to Item 0250-001-0932 for administrative expenses. Ten percent of the funds remaining after administrative costs shall be for joint projects of courts and legal services programs to make legal assistance available to pro per litigants and 90 percent of the funds remaining after administrative costs shall be distributed consistent with Sections 6216 to 6223, inclusive, of the Business and Professions Code. The Judicial Council may establish additional reporting or quality control requirements consistent with Sections 6213 to 6223, inclusive, of the Business and Professions Code.

10. Funds available for expenditure in Schedule (7) may be augmented by order of the Director of Finance by the amount of any additional resources deposited for distribution to the Equal Access Fund Program in accordance with Sections 68085.3 and 68085.4 of the Government Code. Any augmentation under this provision shall be authorized not sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations, the chairpersons of the committees and appropriate subcommittees that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may determine.

11. Sixteen (16.0) subordinate judicial officer positions are authorized to be converted to judgeships in the 2009–10 fiscal year in the manner and pursuant to the authority described in subparagraph (B) of paragraph (1) of subdivision (b) of Section 69615 of the Government Code, as described in the notice filed by the Judicial Council under subdivision (b) of paragraph (3) of Section 69615.

12. Notwithstanding any other provision of law, and upon approval of the Director of Finance, reimbursements in Schedule (11) may be increased by the amount of any additional resources collected for the recovery of costs for court-appointed dependency counsel services.
13. Upon approval of the Administrative Director of the Courts, the Controller shall transfer up to \$556,000 of the funding identified in Provision 12 of this item to Item 0250-001-0932 for administrative services provided to the trial courts in support of the court-appointed dependency counsel program.
14. This item includes a one-time augmentation of \$130,000,000 to offset the reductions in trial court funding in the 2009–10 fiscal year. The Judicial Council shall identify these funds from the uncommitted fund balance in the Trial Court Trust Fund, which may be augmented through transfers from the Judicial Administration Efficiency and Modernization Fund, the Trial Court Improvement Fund, and the Immediate and Critical Needs Account of the State Court Facilities Construction Fund, with specific amounts to be determined by the Judicial Council. The transfer of funds from the Immediate and Critical Needs Account of the State Court Facilities Construction Fund shall not exceed \$25,000,000.

SEC. 11. Item 0250-102-0556 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-102-0556—For local assistance, Judicial Branch, payable from the Judicial Administration Efficiency and Modernization Fund.....	39,173,000
	38,709,000

Provisions:

1. Upon approval of the Director of Finance, the amount available for expenditure in this item may be augmented by the amount of any additional resources available in the Judicial Administration Efficiency and Modernization Fund, which is in addition to the amount appropriated in this item. Any augmentation shall be autho-

1 rized no sooner than 30 days after notification in
2 writing to the chairpersons of the committees in each
3 house of the Legislature that consider appropriations,
4 the chairpersons of the committees and appropriate
5 subcommittees that consider the State Budget, and the
6 ~~chairperson of the joint committee~~ *Chairperson of the*
7 *Joint Legislative Budget Committee*, or not sooner than
8 whatever lesser time the ~~Chairperson of the Joint~~
9 ~~Legislative Budget Committee~~ *chairperson of the joint*
10 *committee* or his or her designee may determine.

11
12 *SEC. 12. Item 0250-111-0001 of Section 2.00 of the Budget*
13 *Act of 2009 is amended to read:*

14
15 0250-111-0001—For transfer by the Controller to the Trial
16 Court Trust Fund..... 1,689,529,000
17 1,518,502,000
18

19 *SEC. 13. Item 0250-111-0159 is added to Section 2.00 of the*
20 *Budget Act of 2009, to read:*

21
22 0250-111-0159—For transfer by the Controller to the Trial
23 Court Trust Fund..... 1,000
24 Provisions:
25 1. The amount of funds available in this item may be
26 augmented in the 2009–10 fiscal year pursuant to
27 Provision 14 of Item 0250-101-0932.
28

29 *SEC. 14. Item 0250-111-0556 is added to Section 2.00 of the*
30 *Budget Act of 2009, to read:*

31
32 0250-111-0556—For transfer by the Controller to the Trial
33 Court Trust Fund..... 1,000
34 Provisions:
35 1. The amount of funds available in this item may be
36 augmented in the 2009–10 fiscal year pursuant to
37 Provision 14 of Item 0250-101-0932.
38

39 *SEC. 15. Item 0250-111-3138 is added to Section 2.00 of the*
40 *Budget Act of 2009, to read:*

0250-111-3138—For transfer by the Controller to the Trial
Court Trust Fund..... 1,000
Provisions:

1. The amount of funds available in this item may be augmented in the 2009–10 fiscal year pursuant to Provision 14 of Item 0250-101-0932.

SEC. 16. Item 0250-112-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-112-0001—For transfer by the Controller to the Judicial
Administration Efficiency and Modernization Fund..... ~~39,173,000~~
38,709,000

SEC. 17. Item 0250-301-0660 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-301-0660—For capital outlay, Judicial Branch, payable
from the Public-Utilities Buildings Construction Fund..... 33,919,000
Schedule:

- (1) 91.18.001-Lassen County: New Susanville Courthouse—Construction..... 33,919,000

Provisions:

1. The State Public Works Board may issue ~~lease-revenue~~ ~~lease-revenue~~ bonds, notes, or bond anticipation notes pursuant to Chapter 5 (commencing with Section 15830) of Part 10b of Division 3 of Title 2 of the Government Code to finance the design and construction of the project authorized by this item.
2. The Judicial Branch and the State Public Works Board are authorized and directed to execute and deliver any and all leases, contracts, agreements, or other documents necessary or advisable to consummate the sale of bonds or otherwise effectuate the financing of the scheduled projects.
3. The State Public Works Board shall not be deemed a lead or responsible agency for purposes of the California Environmental Quality Act (Division 13 (commencing with Section ~~21000~~ 21000) of the Public Resources Code) for any activities under the State Building

Construction Act of 1955 (Part 10b (commencing with Section 15800) of Division 3 of Title 2 of the Government Code). This provision does not exempt the Judicial Council from the requirements of the California Environmental Quality Act. This ~~section~~ *provision* is intended to be declarative of existing law.

SEC. 18. Item 0250-301-3037 of Section 2.00 of the Budget Act of 2009 is amended to read:

0250-301-3037—For capital outlay, Judicial Branch, payable from the State Court Facilities Construction Fund.....	140,970,000
	<i>43,100,000</i>
Schedule:	
(1) 91.04.001-Butte County: New North County Courthouse—Acquisition.....	14,475,000
(2) 91.13.001-Imperial County: New El Centro Courthouse—Family Court—house—Acquisition.....	2,683,000
(3) 91.17.001-Lake County: New Lakeport Courthouse—Acquisition.....	2,610,000
(4) 91.19.002-Los Angeles County: New Southeast Los Angeles Courthouse—Acquisition.....	22,726,000
(5) 91.20.001-Madera County: New Madera Courthouse—Working drawings.....	4,863,000
(6) 91.27.001-Monterey County: New South Monterey County Courthouse—Acquisition.....	686,000
(7) 91.33.001-Riverside County: New Riverside Mid-County Courthouse—Working drawings.....	3,101,000
(8) 91.33.002-Riverside County: New Indio Juvenile and Family Courthouse—Acquisition.....	4,419,000
(9) 91.34.001-Sacramento County: New Sacramento Criminal Courthouse—Acquisition.....	3,096,000

1	(10) 91.36.001-San Bernardino County: New	
2	San Bernardino Courthouse—Working	
3	drawings.....	17,331,000
4	(11) 91.39.001-San Joaquin County: New	
5	Stockton Courthouse—Working draw-	
6	ings.....	13,186,000
7	(12) 91.45.001-Shasta County: New Redding	
8	Courthouse—Acquisition.....	6,996,000
9	(13) 91.49.001-Sonoma County: New Santa	
10	Rosa Criminal Courthouse-Acquisi-	
11	tion.....	14,737,000
12	(14) 91.51.001-Sutter County: New Yuba	
13	City Courthouse—Acquisition.....	1,059,000
14	(15) 91.52.001-Tehama County: New Red	
15	Bluff Courthouse—Acquisition.....	16,289,000
16	(16) 91.54.001-Tulare County: New Porter-	
17	ville Courthouse—Working draw-	
18	ings.....	4,619,000
19	(17) 91.57.001-Yolo County: New Wood-	
20	land Courthouse—Acquisition.....	8,094,000
21	Provisions:	
22	1. Notwithstanding any other provision of law, each	
23	county listed in this item shall transfer responsibility	
24	or responsibility and title to the state prior to the re-	
25	lease of funds for all acquisition projects.	
26	2. Notwithstanding any other provision of law, the Judi-	
27	cial Council and each county listed in this item shall	
28	have a county-approved <i>county-approved</i> final plan	
29	in place regarding disposition of space in shared-use	
30	facilities prior to the State Public Works Board autho-	
31	rizing acquisition for that project.	
32	3. The Judicial Branch may enter into a lease-purchase	
33	agreement with the County of Alameda for the New	
34	East County Courthouse project that will provide lease	
35	payments to the county subject to Department of Fi-	
36	nance approval. The County of Alameda shall transfer	
37	responsibility, or responsibility and title of the existing	
38	court facilities in the County of Alameda prior to the	
39	approval of a lease-purchase agreement. At least 30	
40	days prior to entering into any agreement, the Judicial	

Council shall notify the chairpersons of the committees in each house of the Legislature that consider appropriations and the Joint Legislative Budget Committee of the terms and conditions of the agreement. If the Joint Legislative Budget Committee does not express any opposition, the Judicial Council may proceed with the agreement after 30 days from when the Judicial Branch gave notice to the chairpersons.

SEC. 19. Item 0250-301-3138 is added to Section 2.00 of the Budget Act of 2009, to read:

0250-301-3138—For capital outlay, Judicial Branch, payable from the Immediate and Critical Needs Account..... 99,609,000

Schedule:

(1) 91.04.001-Butte County: New North County Courthouse—Acquisition.....	14,475,000
(2) 91.13.001-Imperial County: New El Centro Courthouse—Acquisition.....	2,683,000
(3) 91.17.001-Lake County: New Lakeport Courthouse—Acquisition.....	2,610,000
(4) 91.19.002-Los Angeles County: New Southeast Los Angeles Courthouse—Acquisition.....	22,726,000
(5) 91.27.001-Monterey County: New South Monterey County Courthouse—Acquisition.....	686,000
(6) 91.33.002-Riverside County: New Indio Juvenile and Family Courthouse—Acquisition.....	4,419,000
(7) 91.34.001-Sacramento County: New Sacramento Criminal Courthouse—Acquisition.....	3,096,000
(8) 91.45.001-Shasta County: New Redding Courthouse—Acquisition.....	6,996,000
(9) 91.49.001-Sonoma County: New Santa Rose Criminal Courthouse—Acquisition.....	14,737,000
(10) 91.51.001-Sutter County: New Yuba City Courthouse—Acquisition.....	1,059,000

- 1 (11) 91.52.001-Tehama County: New Red
 2 Bluff Courthouse—Acquisition..... 16,289,000
 3 (12) 91.57.001-Yolo County: New Woodland
 4 Courthouse—Acquisition..... 8,094,000
 5 (13) 91.48.001-Solano County: Renovation
 6 to the Fairfield Old Solano Court-
 7 house—Acquisition and preliminary
 8 plans..... 1,739,000
 9 Provisions:
- 10 1. Notwithstanding any other provision of law, each
 11 county listed in this item shall transfer responsibility
 12 or responsibility and title to the state prior to the re-
 13 lease of funds for all acquisition projects.
- 14 2. Notwithstanding any other provision of law, the Judi-
 15 cial Council and each county listed in this item shall
 16 have a county-approved final plan in place regarding
 17 disposition of space in shared-use facilities prior to
 18 the State Public Works Board authorizing acquisition
 19 for that project.
- 20 3. The Judicial Branch may enter into a lease-purchase
 21 agreement with the County of Alameda for the New
 22 East County Courthouse project that will provide lease
 23 payments to the county subject to approval by the Di-
 24 rector of Finance. The County of Alameda shall
 25 transfer responsibility, or responsibility and title, of
 26 the existing court facilities in the County of Alameda
 27 prior to the approval of a lease-purchase agreement.
 28 At least 30 days prior to entering into any agreement,
 29 the Judicial Council shall notify the chairpersons of
 30 the committees in each house of the Legislature that
 31 consider appropriations and the Joint Legislative
 32 Budget Committee of the terms and conditions of the
 33 agreement. If the Joint Legislative Budget Committee
 34 does not express any opposition, the Judicial Council
 35 may proceed with the agreement after 30 days from
 36 when the Judicial Branch gave notice to the chairper-
 37 sons.
- 38 4. The Judicial Branch may enter into a lease-purchase
 39 agreement with the County of Santa Clara for the New
 40 Family Justice Center Courthouse project that will

provide lease payments to the county subject to approval by the Director of Finance. The County of Santa Clara shall transfer responsibility, or responsibility and title, of the existing court facilities in the County of Santa Clara prior to the approval of a lease-purchase agreement. At least 30 days prior to entering into any agreement, the Judicial Council shall notify the chairpersons of the committees in each house of the Legislature that consider appropriations and the Joint Legislative Budget Committee of the terms and conditions of the agreement. If the Joint Legislative Budget Committee does not express any opposition, the Judicial Council may proceed with the agreement after 30 days from when the Judicial Branch gave notice to the chairpersons.

SEC. 20. Item 0250-490 is added to Section 2.00 of the Budget Act of 2009, to read:

0250-490—Reappropriation, Judicial Branch. The balances of the appropriations provided for in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in the appropriations:

3037—State Court Facilities Construction Fund

(1) Item 0250-301-3037, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(0.5) 91.05.001-Calaveras County: New San Andreas Courthouse—Working drawings

(1.5) 91.18.001-Lassen County: New Susanville Courthouse—Working drawings

(2) 91.20.001-Madera County: New Madera Courthouse—Preliminary plans

(3) 91.26.001-Mono County: New Mammoth Lakes Courthouse—Construction

(5.5) 91.35.001-San Benito County: New Hollister Courthouse—Preliminary plans and working drawings

(7) 91.39.001-San Joaquin County: New Stockton Courthouse—Preliminary plans

SEC. 21. Item 0502-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0502-001-0001—For support of the Office of the State Chief Information Officer.....	4,253,000
	4,721,000
Schedule:	
(1) Office 10-Office of the State Chief Information Officer.....	7,685,000
	251,454,000
(1.2) 20-Project Review and Oversight.....	74,124,000
(2) Reimbursements.....	900,000
	-1,368,000
(2.1) Amount payable from the State Emergency Telephone Number Account (Item 0502-001-0022).....	-2,269,000
(2.2) Amount payable from the Service Revolving Fund (Item 0502-001-0666).....	-74,972,000
(2.3) Amount payable from the Department of Technology Services Revolving Fund (Item 0502-001-9730).....	-239,283,000
(3) Amount payable from the Central Service Cost Recovery Fund (Item 0502-001-9740).....	2,532,000
	-2,965,000

Provisions:

1. Notwithstanding any other provision of law, funds appropriated in this item may be transferred to Item 1760-001-0666 if the Director of Finance determines the transfer to be necessary to carry out Governor's Reorganization Plan No. 1 of 2009. These transfers may be made upon the order of the Director of Finance not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint

committee, or his or her designee, may in each instance determine.

SEC. 22. Item 0502-001-0022 is added to Section 2.00 of the Budget Act of 2009, to read:

0502-001-0022—For support of the Office of the State Chief Information Officer, for payment to Item 0502-001-0001, payable from the State Emergency Telephone Number Account..... 2,269,000

SEC. 23. Item 0502-001-0666 is added to Section 2.00 of the Budget Act of 2009, to read:

0502-001-0666—For support of the Office of the State Chief Information Officer, for payment to Item 0502-001-0001, payable from the Service Revolving Fund..... 74,972,000

SEC. 24. Item 0502-001-9730 is added to Section 2.00 of the Budget Act of 2009, to read:

0502-001-9730—For support of the Office of the State Chief Information Officer, for payment to Item 0502-001-0001, payable from the Department of Technology Services Revolving Fund..... 239,283,000

SEC. 25. Item 0502-001-9740 of Section 2.00 of the Budget Act of 2009 is amended to read:

0502-001-9740—For support of the Office of the State Chief Information Officer, for payment to Item 0502-001-0001, payable from the Central Service Cost Recovery Fund..... ~~2,532,000~~
2,965,000

SEC. 26. Item 0502-101-0022 is added to Section 2.00 of the Budget Act of 2009, to read:

0502-101-0022—For local assistance, Office of the State Chief Information Officer, for payment to the Department of General Services, for reimbursement of local agencies, service suppliers, and communication equipment companies for costs incurred pursuant to Sections 41137, 41137.1, 41138, and 41140 of the Revenue and Taxation Code, payable from the State Emergency Telephone Number Account..... 120,604,000

Schedule:

(1) 911 Emergency Telephone Number System..... 104,523,000
 (2) Enhanced Wireless Services..... 16,081,000

SEC. 27. Item 0502-301-0001 is added to Section 2.00 of the Budget Act of 2009, to read:

0502-301-0001—For capital outlay, Office of the Chief Information Officer..... 0

Schedule:

(1) 50.10.250-Sacramento Public Safety Communications Decentralization, Resources—Working drawings..... 95,000
 (2) Reimbursements..... -95,000

Provisions:

1. Notwithstanding any other provision of law, the funds appropriated in this item shall be reimbursed from the Department of Water Resources.

SEC. 28. Item 0502-301-0042 is added to Section 2.00 of the Budget Act of 2009, to read:

0502-301-0042—For capital outlay, Office of the Chief Information Officer, payable from the State Highway Account, State Transportation Fund 555,000

Schedule:

(1) 50.10.250-Sacramento Public Safety Communications Decentralization, Resources—Working drawings..... 555,000

SEC. 29. Item 0502-301-0044 is added to Section 2.00 of the Budget Act of 2009, to read:

0502-301-0044—For capital outlay, Office of the Chief Information Officer, payable from the Motor Vehicle Account, State Transportation Fund..... 1,406,000

Schedule:

(1) 50.10.250-Sacramento Public Safety Communications Decentralization, Resources—Working drawings..... 1,406,000

SEC. 30. Item 0502-301-0200 is added to Section 2.00 of the Budget Act of 2009, to read:

0502-301-0200—For capital outlay, Office of the Chief Information Officer, payable from the Fish and Game Preservation Fund..... 126,000

Schedule:

(1) 50.10.250-Sacramento Public Safety Communications Decentralization, Resources—Working drawings..... 126,000

SEC. 31. Item 0502-301-0768 is added to Section 2.00 of the Budget Act of 2009, to read:

0502-301-0768—For capital outlay, Office of the Chief Information Officer, payable from the Earthquake Safety and Public Buildings Rehabilitation Fund of 1990..... 1,028,000

Schedule:

(1) 50.10.250-Sacramento Public Safety Communications Decentralization, Resources—Working drawings..... 1,028,000

SEC. 32. Item 0510-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0510-001-0001—For support of Secretary of State and Consumer Services..... ~~1,439,000~~
971,000

1	Schedule:	
2	(1) Support.....	3,415,000
3		2,514,000
4	(2) Reimbursements.....	-644,000
5	(3) Amount payable from the Central Ser-	
6	vice Cost Recovery Fund (Item 0510-	
7	001-9740).....	-1,332,000
8		-899,000
9		

10 *SEC. 33. Item 0510-001-9740 of Section 2.00 of the Budget*
 11 *Act of 2009 is amended to read:*

12
 13 0510-001-9740—For support of Secretary of State and Con-
 14 sumer Services, for payment to Item 0510-001-0001,
 15 payable from the Central Service Cost Recovery Fund..... 1,332,000
 16 899,000

17
 18 *SEC. 34. Item 0520-001-0001 of Section 2.00 of the Budget*
 19 *Act of 2009 is amended to read:*

20
 21 0520-001-0001—For support of Secretary of Business, Trans-
 22 portation and Housing, for payment to Item 0520-001-
 23 0044..... 2,036,000
 24 2,428,000

25 Provisions:

- 26 1. Of the amount appropriated in this item, \$939,000
 27 shall be available for use by the California Travel and
 28 Tourism Commission for use in promoting California
 29 tourism to potential visitors.
 30

31 *SEC. 35. Item 0520-001-0044 of Section 2.00 of the Budget*
 32 *Act of 2009 is amended to read:*

33
 34 0520-001-0044—For support of Secretary of Business, Trans-
 35 portation and Housing, payable from the Motor Vehicle
 36 Account, State Transportation Fund..... 1,580,000

37 Schedule:

- 38 (1) 10-Administration of Business, Trans-
 39 portation and Housing Agency..... 3,607,000

1	(2) 25-Infrastructure Finance and Economic	
2	Development Program.....	8,118,000
3		8,510,000
4	(3) Reimbursements.....	-3,208,000
5	(4) Amount payable from the General Fund	
6	(Item 0520-001-0001).....	-2,036,000
7		-2,428,000
8	(5) Amount payable from the California	
9	Infrastructure and Economic Develop-	
10	ment Bank Fund (Item 0520-001-	
11	0649).....	-3,932,000
12	(6) Amount payable from the California	
13	Small Business Expansion Fund (Item	
14	0520-001-0918).....	-570,000
15	(7) Amount payable from the Welcome	
16	Center Fund (Item 0520-001-3083).....	-77,000
17	(8) Amount payable from the Film Promo-	
18	tion and Marketing Fund (Item 0520-	
19	001-3095).....	-10,000
20	(9) Amount payable from the Chrome Plat-	
21	ing Pollution Prevention Fund (Item	
22	0520-001-9329).....	-312,000
23	Provisions:	
24	1. Of the amount appropriated in Schedule (2), \$85,000	
25	is for reimbursement of the Department of Toxic	
26	Substances Control for expansion of the Model Shop	
27	Program pursuant to Chapter 2 (commencing with	
28	Section 42100) of Part 3 of Division 30 of the Public	
29	Resources Code.	

31 *SEC. 36. Item 0530-001-3151 is added to Section 2.00 of the*
32 *Budget Act of 2009, to read:*

34 *0530-001-3151—For support of Secretary of California Health*
35 *and Human Services..... 0*
36 *Provisions:*
37 *1. The Director of Finance may authorize an increase*
38 *in this appropriation, up to the total amount collected*
39 *from administrative fines assessed by the Office of*
40 *Health Information Integrity pursuant to Section 56.36*

of the Civil Code. Any such approval shall be accompanied by the approval of an amended spending plan submitted by the Office of Health Information Integrity providing detailed justification for the increased expenses. An approval of an augmentation or spending plan may be authorized not sooner than 30 days after notification is provided to the Chairperson of the Joint Legislative Budget Committee in writing, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may determine.

SEC. 37. Item 0530-001-9732 of Section 2.00 of the Budget Act of 2009 is amended to read:

0530-001-9732—For support of Secretary of California Health and Human Services, payable from the Office of Systems Integration Fund.....	236,058,000
	239,123,000
Schedule:	
(1) 30-Office of Systems Integration.....	236,058,000
	239,123,000

SEC. 38. Item 0540-001-0140 of Section 2.00 of the Budget Act of 2009 is amended to read:

0540-001-0140—For support of Secretary of the Natural Resources Agency, payable from the California Environmental License Plate Fund.....	3,326,000
	3,376,000
Schedule:	
(1) 10-Administration of Natural Resources Agency.....	41,399,000
	41,449,000
(2) 20-CALFED Bay-Delta Program.....	17,814,000
	20,713,000
(3) Reimbursements.....	-8,904,000
(4) Amount payable from the General Fund (Item 0540-001-0001).....	-5,736,000

1	(5) Amount payable from the Safe Neighbor-	
2	hood Parks, Clean Water, Clean Air,	
3	and Coastal Protection Bond Fund (Item	
4	0540-001-0005).....	-274,000
5	(6) Amount payable from the Environmen-	
6	tal Enhancement and Mitigation Pro-	
7	gram Fund (Item 0540-001-0183).....	-141,000
8	(7) Amount payable from the Federal Trust	
9	Fund (Item 0540-001-0890).....	-8,471,000
10	(8) Amount payable from the California	
11	Clean Water, Clean Air, Safe Neighbor-	
12	hood Parks, and Coastal Protection Fund	
13	(Item 0540-001-6029).....	-2,072,000
14	(9) Amount payable from the Water Securi-	
15	ty, Clean Drinking Water, Coastal and	
16	Beach Protection Fund of 2002 (Item	
17	0540-001-6031).....	-3,976,000
18		-6,875,000
19	(10) Amount payable from the Safe Drink-	
20	ing Water, Water Quality and Supply,	
21	Flood Control, River and Coastal Pro-	
22	tection Fund of 2006 (Item 0540-001-	
23	6051).....	-26,046,000
24	(11) Amount payable from the Disaster Pre-	
25	paredness and Flood Prevention Bond	
26	Fund of 2006 (Item 0540-001-6052)....	-267,000

28 *SEC. 39. Item 0540-001-6031 of Section 2.00 of the Budget*
 29 *Act of 2009 is amended to read:*

31 0540-001-6031—For support of Secretary of the *Natural Re-*
 32 *sources Agency*, for payment to Item 0540-001-0140,
 33 payable from the Water Security, Clean Drinking Water,
 34 Coastal and Beach Protection Fund of 2002..... 3,976,000
 35 6,875,000

36 Provisions:

- 37 1. The funds appropriated in this item for purposes of
- 38 CALFED Science Program grants shall be available
- 39 for encumbrance or expenditure until June 30, 2012.

2. *If legislation is enacted that establishes new policy priorities for the Sacramento-San Joaquin Delta and a new governance structure for the Delta, the funding provided in this item for the CALFED Science Program shall continue to be available if it is consistent with the newly established priorities and governance structure.*

SEC. 40. Item 0540-001-6051 of Section 2.00 of the Budget Act of 2009 is amended to read:

0540-001-6051—For support of Secretary of the Natural Resources Agency, for payment to Item 0540-001-0140, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006..... 26,046,000

Provisions:

1. The funds appropriated in this item for purposes of subdivision (n) of Section 75050 of the Public Resources Code shall be available for encumbrance or expenditure until June 30, 2012, for purposes of support, local assistance, or capital outlay.
2. The funds appropriated in this item for purposes of subdivision (n) of Section 75050 of the Public Resources Code shall continue only so long as the United States Bureau of Reclamation continues to provide federal funds and continues to carry out federal actions to implement the settlement agreement in *Natural Resources Defense Council v. Rodgers* (2005) 381 F.Supp.2d 1212.
3. *Of the funds appropriated in this item, \$800,000 shall be for the City of Calexico for environmental review, engineering design, and associated planning necessary to develop a river parkway plan and river improvement project for the New River. These funds are hereby appropriated in order to secure and serve as matching funds for the \$4,000,000 appropriation from the 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (P.L. 109-59) to the*

1 *City of Calexico for the development of bicycle paths*
2 *and public park space adjacent to the New River.*

3
4 *SEC. 41. Item 0540-490 of Section 2.00 of the Budget Act of*
5 *2009 is amended to read:*

6
7 0540-490—Reappropriation, Secretary of the *Natural Resources*
8 Agency. The balances of the appropriations provided for
9 in the following citations are reappropriated for the purpos-
10 es provided for in those appropriations and shall be avail-
11 able for encumbrance or expenditure until June 30, 2012:
12 0140—*California Environmental License Plate Fund*
13 (1) *Reimbursements, Item 0540-001-0140, Budget Act of*
14 *2008 (Chs. 268 and 269, Stats. 2008), for the purposes*
15 *of the CALFED Science Program*
16 6029—*California Clean Water, Clean Air, Safe Neighbor-*
17 *hood Parks, and Coastal Protection Fund*
18 (1) *Item 0540-001-6029, Budget Act of 2003 (Ch. 157,*
19 *Stats. 2003), as reappropriated by Item 0540-490,*
20 *Budget Act of 2004 (Ch. 208, Stats. 2004)*
21 6031—*Water Security, Clean Drinking Water, Coastal and*
22 *Beach Protection Fund of 2002*
23 (1) *Item 0540-001-6031, Budget Act of 2008 (Chs. 268*
24 *and 269, Stats. 2008), for the purposes of the CALFED*
25 *Science Program*

26
27 *SEC. 42. Item 0540-491 is added to Section 2.00 of the Budget*
28 *Act of 2009, to read:*

29
30 0540-491—Reappropriation, Secretary for *Natural Resources.*
31 *Notwithstanding any other provision of law, the period to*
32 *liquidate encumbrances of the appropriations in the follow-*
33 *ing citations is extended to June 30, 2011:*
34 6031—*Water Security, Clean Drinking Water, Coastal and*
35 *Beach Protection Fund of 2002*
36 (1) *0540-101-6031, Budget Act of 2005 (Chs. 38 and 39,*
37 *Stats. 2005), for the River Parkways Program and the*
38 *Sierra Nevada Cascade Conservation Program*
39

SEC. 43. Item 0540-493 is added to Section 2.00 of the Budget Act of 2009, to read:

0540-493—Reappropriation, Secretary for Natural Resources.

The balances provided for in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2010:

0890—Federal Trust Fund

(1) Item 0540-001-0890, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the Coastal Assistance Program

SEC. 44. Item 0555-001-0028 of Section 2.00 of the Budget Act of 2009 is amended to read:

0555-001-0028—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Unified Program Account.....	1,487,000
	4,219,000

SEC. 45. Item 0555-001-0044 of Section 2.00 of the Budget Act of 2009 is amended to read:

0555-001-0044—For support of Secretary for Environmental Protection, payable from the Motor Vehicle Account, State Transportation Fund.....	1,965,000
Schedule:	
(1) 30-Support.....	15,161,000
	17,885,000
(2) Reimbursements.....	-2,004,000
(3) Amount payable from the General Fund (Item 0555-001-0001).....	-1,070,000
(4) Amount payable from the Hazardous Waste Control Account (Item 0555-001-0014).....	-327,000
(5) Amount payable from the Unified Program Account (Item 0555-001-0028)....	-1,487,000
	-4,219,000

1	(6) Amount payable from the California	
2	Used Oil Recycling Fund (Item 0555-	
3	001-0100).....	-30,000
4	(7) Amount payable from the Department	
5	of Pesticide Regulation Fund (Item	
6	0555-001-0106).....	-842,000
7	(8) Amount payable from the Air Pollution	
8	Control Fund (Item 0555-001-0115).....	-1,462,000
9	(9) Amount payable from the Waste Dis-	
10	charge Permit Fund (Item 0555-001-	
11	0193).....	-318,000
12	(10) Amount payable from the Public Re-	
13	sources Account, Cigarette and Tobacco	
14	Products Surtax Fund (Item 0555-001-	
15	0235).....	-64,000
16		-56,000
17	(11) Amount payable from the Recycling	
18	Market Development Revolving Loan	
19	Subaccount, Integrated Waste Manage-	
20	ment Fund (Item 0555-001-0281).....	-150,000
21	(12) Amount payable from the Integrated	
22	Waste Management Account, Integrated	
23	Waste Management Fund (Item 0555-	
24	001-0387).....	-768,000
25	(13) Amount payable from the Underground	
26	Storage Tank Cleanup Fund (Item	
27	0555-001-0439).....	-875,000
28	(14) Amount payable from the State Water	
29	Quality Control Fund (Item 0555-001-	
30	0679).....	-188,000
31	(15) Amount payable from the Rural CUPA	
32	Reimbursement Account (Item 0555-	
33	001-1006).....	-862,000
34	(16) Amount payable from the Water Rights	
35	Fund (Item 0555-001-3058).....	-40,000
36	(17) Amount payable from the Environmen-	
37	tal Enforcement and Training Account	
38	(Item 0555-001-8013).....	-2,132,000

(18) Amount payable from the Environmental Education Account (Item 0555-001-8020)..... -577,000

Provisions:

1. Notwithstanding Section 48653 of the Public Resources Code, funds appropriated in this item from the California Used Oil Recycling Fund shall be available for purposes of administration.
2. Funds appropriated in this item from the Environmental Education Account are available for appropriation only to the extent that funding is received in the Environmental Education Account established by Section 71305 of the Public Resources Code.

SEC. 46. Item 0555-001-0235 of Section 2.00 of the Budget Act of 2009 is amended to read:

0555-001-0235—For support of Secretary for Environmental Protection, for payment to Item 0555-001-0044, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund..... 64,000
56,000

SEC. 47. Item 0558-001-0001 of Section 2.00 of the Budget Act of 2009 is repealed.

0558-001-0001—For support of the Office of the Secretary for Education..... 977,000

Schedule:

- (1) Secretary for Education..... 1,084,000
- (2) Reimbursements..... -107,000

Provisions:

1. ~~The amount appropriated in this item is intended for support of the Education Agency. The appropriation is an estimate of the funding needs from January 1, 2010, to June 30, 2010, inclusive. Legislation establishing the agency will be introduced and, if enacted, would be effective on or before January 1, 2010. In the event that legislation creating the agency is not effective on or before January 1, 2010, or the funds~~

are needed prior to January 1, 2010, the unexpended balance of the funds appropriated in this item shall be available for expenditure pursuant to Item 0650-011-0001, as authorized by the Director of Finance.

SEC. 48. Item 0559-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0559-001-0001—For support of the Labor and Workforce Development Agency.....	0
Schedule:	
(1) 10-Office of the Secretary of Labor and Workforce Development.....	4,668,000
	3,138,000
(2) Reimbursements.....	-2,712,000
(3) Amount payable from the Labor and Workforce Development Fund (Item 0559-001-3078).....	-1,956,000
	-426,000

SEC. 49. Item 0559-001-3078 of Section 2.00 of the Budget Act of 2009 is amended to read:

0559-001-3078—For support of the Labor and Workforce Development Agency, for payment to Item 0559-001-0001, payable from the Labor and Workforce Development Fund.....	1,956,000
	426,000
Provisions:	
1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	

SEC. 50. Item 0559-011-3078 is added to Section 2.00 of the Budget Act of 2009, to read:

0559-011-3078—For transfer by the Controller, upon order of the Director of Finance, from the Labor and Workforce Development Fund, to the General Fund.....	(5,500,000)
--	-------------

1 *Provisions:*

- 2 1. *In addition to the amount specified in this item, the*
 3 *Controller shall transfer to the General Fund the un-*
 4 *encumbered balance in the Labor and Workforce De-*
 5 *velopment Fund as of June 30, 2010, as determined*
 6 *by the Director of Finance.*

7
 8 *SEC. 51. Item 0650-001-0001 of Section 2.00 of the Budget*
 9 *Act of 2009 is amended to read:*

10		
11	0650-001-0001—For support of Office of Planning and Re-	
12	search.....	5,990,000
13		4,236,000
14	Schedule:	
15	(1) 11-State Planning and Policy Devel-	
16	opment.....	5,954,000
17		1,025,487,000
18	(2) 21-California Volunteers.....	6,732,000
19		6,160,000
20	(3) Reimbursements.....	-3,588,000
21	(4) Amount payable from the Restitution	
22	Fund (Item 0650-001-0214).....	-285,000
23	(5) Amount payable from the Federal	
24	Trust Fund (Item 0650-001-	
25	0890).....	-2,119,000
26		-1,023,119,000
27	(6) Amount payable from the Central Ser-	
28	vice Cost Recovery Fund (Item 0650-	
29	001-9740).....	-704,000
30		

31 *SEC. 52. Item 0650-001-0214 of Section 2.00 of the Budget*
 32 *Act of 2009 is repealed.*

33		
34	0650-001-0214—For support of the Office of Planning and	
35	Research, for payment to Item 0650-001-0001, payable	
36	from the Restitution Fund.....	285,000
37		

38 *SEC. 53. Item 0650-001-0890 of Section 2.00 of the Budget*
 39 *Act of 2009 is amended to read:*

0650-001-0890—For support of Office of Planning and Research, for payment to Item 0650-001-0001, payable from the Federal Trust Fund..... 2,119,000
1,023,119,000

SEC. 54. Item 0650-011-0001 of Section 2.00 of the Budget Act of 2009 is repealed.

~~0650-011-0001—For support of Office of Planning and Research..... 978,000~~

~~Schedule:~~

~~(1) Office of the Secretary for Education.... 1,090,000~~

~~(2) Reimbursements..... -112,000~~

~~Provisions:~~

~~1. The funds appropriated in this item are intended for support of the Education Agency. The appropriation is an estimate of the funding needs from July 1, 2009, to December 31, 2009, inclusive. Legislation establishing the agency will be introduced and, if enacted, would be effective on or before January 1, 2010. After the effective date of that legislation, and upon the determination that all obligations of the agency in the Office of Planning and Research have been met, the unexpended balance of the funds appropriated in this item shall be available for expenditure pursuant to Item 0558-001-0001, as authorized by the Director of Finance.~~

SEC. 55. Item 0650-101-0214 of Section 2.00 of the Budget Act of 2009 is repealed.

~~0650-101-0214—For local assistance, Office of Planning and Research, Program 11, State Planning and Policy Development, payable from the Restitution Fund..... 9,215,000~~

~~Schedule:~~

~~(1) 11-State Planning and Policy Development..... 9,215,000~~

~~(a) Grants to the City of Los Angeles..... (1,000,000)~~

(b) ~~Competitive grants to all other~~
~~cities.....~~ (8,215,000)

Provisions:

1. ~~All grantees must provide a dollar-for-dollar match to state grant funds awarded from Schedules (1) and (2).~~
2. ~~The Office of Planning and Research shall submit a report and evaluation of the grants awarded pursuant to Schedules (1) and (2) to the fiscal committees of the Legislature not later than April 1, 2013.~~
3. ~~The amount appropriated in Schedule (2) shall be competitive grants to cities. No grant shall exceed \$500,000, and at least two grants shall be awarded to cities with populations of 200,000 or less. In awarding grants, the Office of Planning and Research shall give preference to applicants that incorporate regional approaches to anti-gang activities.~~
5. ~~Each city that receives a grant from Schedule (1) or (2) shall collaborate and coordinate with area jurisdictions and agencies, including the existing county juvenile justice coordination council, with the goal of reducing gang activity in the city and adjacent areas. Each grantee shall establish a coordinating and advisory council to prioritize the use of the funds. Membership shall include city officials, local law enforcement, including the county sheriff, chief probation officer, and district attorney, local educational agencies, including school districts and the county office of education, and community-based organizations.~~
6. ~~Each city that receives a grant from Schedule (1) or (2) shall distribute at least 20 percent of the grant funds it receives to one or more community-based organizations pursuant to the city's application.~~

SEC. 56. Item 0650-102-0890 is added to Section 2.00 of the Budget Act of 2009, to read:

0650-102-0890—For local assistance, Office of Planning and Research, Program 11-State Planning and Policy Development, payable from the Federal Trust Fund..... 1,110,000,000

SEC. 57. Item 0650-490 is added to Section 2.00 of the Budget Act of 2009, to read:

0650-490—Reappropriation, Office of Planning and Research.
The balances of the appropriations provided in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2010:
0001—General Fund
(1) Item 0650-001-0001, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), \$777,000 for the 2010 Census Program

SEC. 58. Item 0690-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0690-001-0001—For support of the California Emergency Management Agency.....	44,813,000
	45,995,000
Schedule:	
(1) 20-Emergency Management Services....	68,171,000
	68,821,000
(2) 40-Special Programs and Grant Management.....	71,498,000
	78,678,000
(3) 65.01-Administration and Executive Program.....	14,851,000
	15,257,000
(4) 65.02-Distributed Administration and Executive.....	-14,851,000
	-15,257,000
(5) Reimbursements.....	-4,284,000
(6) Amount payable from the Unified Program Account (Item 0690-001-0028)....	-824,000
(7) Amount payable from the Nuclear Planning Assessment Special Account (Item 0690-001-0029).....	-1,089,000
(7.5) Amount payable from the Restitution Fund (Item 0690-001-0214).....	-285,000

1	(8) Amount payable from the Emergency	
2	Response Fund (Item 0690-001-1014)....	-650,000
3	(9) Amount payable from the Federal Trust	
4	Fund (Item 0690-001-0890).....	-85,396,000
5		-89,964,000
6	(10) Amount payable from the Local Public	
7	Prosecutors and Public Defender	
8	Training Fund (Item 0690-002-0241)....	-80,000
9	(11) Amount payable from the Victim Wit-	
10	ness Victim-Witness Assistance Fund	
11	(Item 0690-002-0425).....	-1,290,000
12	(12) Amount payable from the Equality in	
13	Prevention and Services for Domestic	
14	Abuse Fund (Item 0690-001-3112)....	-60,000
15	(13) Amount payable from the Transit Sys-	
16	tem Safety, Security, and Disaster Re-	
17	sponse Account, Highway Safety,	
18	Traffic Reduction, Air Quality, and Port	
19	Security Fund of 2006 (Item 0690-001-	
20	6061).....	-1,509,000
21		-2,654,000
22	(15) Amount payable from the Antiterrorism	
23	Fund (Item 0690-010-3034).....	-324,000
24	Provisions:	
25	1. Funds appropriated in this item may be reduced by the	
26	Director of Finance, after giving notice to the Chair-	
27	person of the Joint Legislative Budget Committee, by	
28	the amount of federal funds made available for the	
29	purposes of this item in excess of the federal funds	
30	scheduled in Item 0690-001-0890.	
31	2. The California Emergency Management Agency shall	
32	charge tuition for all training offered through the Cal-	
33	ifornia Specialized Training Institute.	
34	3. Upon approval by the Department of Finance, the	
35	Controller shall transfer such funds as are necessary	
36	between this item and Item 0690-101-0890.	
37	4. Notwithstanding Section 8581.5 of the Government	
38	Code, the California Emergency Council shall not be	
39	required to publish a biennial report on the state of	

emergency preparedness for catastrophic disasters, as specified, during the 2009–10 fiscal year.

SEC. 59. Item 0690-001-0214 is added to Section 2.00 of the Budget Act of 2009, to read:

0690-001-0214—For support of the California Emergency Management Agency, for payment to Item 0690-001-0001, payable from the Restitution Fund..... 285,000

SEC. 60. Item 0690-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

0690-001-0890—For support of the California Emergency Management Agency, for payment to Item 0690-001-0001, payable from the Federal Trust Fund..... 85,396,000
89,964,000

Provisions:

1. Any funds that may become available, in addition to the funds appropriated in this item, for disaster response and recovery may be allocated by the Department of Finance subject to the conditions of Section 28.00, except that, notwithstanding subdivision (d) of that section, the allocations may be made 30 days or less after notification of the Legislature.
2. Notwithstanding any other provision of law, the funds appropriated in this item may be expended without regard to the fiscal year in which the application for reimbursement was submitted to the Federal Emergency Management Agency.

SEC. 61. Item 0690-001-1014 is added to Section 2.00 of the Budget Act of 2009, to read:

0690-001-1014—For support of the California Emergency Management Agency, for payment to Item 0690-001-0001, payable from the Emergency Response Fund..... 650,000

SEC. 62. Item 0690-001-6061 of Section 2.00 of the Budget Act of 2009 is amended to read:

0690-001-6061—For support of the California Emergency Management Agency, for payment to Item 0690-001-0001, payable from the Transit System Safety, Security, and Disaster Response Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006

1,509,000
2,654,000

Provisions:

1. Upon approval of the Director of Finance, expenditure authority for this item may be increased by up to \$200,000 to reimburse the Department of Finance for bond audit costs related to the implementation of Proposition 1B. Any augmentation shall be authorized no sooner than 30 days after notification in writing to the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may determine.

SEC. 63. Item 0690-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

0690-101-0890—For local assistance, California Emergency Management Agency, payable from the Federal Trust Fund.....

878,826,000
893,581,000

Schedule:

- (1) 20-Emergency Management Services....
 - (2) 40-Special Programs and Grant Management.....
- | |
|-------------|
| 16,100,000 |
| 30,855,000 |
| 862,726,000 |

Provisions:

1. Any federal funds that may become available in addition to the funds appropriated in this item for Program 40-Disaster Assistance are exempt from Section 28.00.

SEC. 64. Item 0690-102-0214 of Section 2.00 of the Budget Act of 2009 is amended to read:

0690-102-0214—For local assistance, California Emergency
Management Agency, payable from the Restitution Fund.... 500,000
9,715,000

Schedule:

- (1) Internet Crimes Against Children Task
Force funding..... 500,000
- (2) 40.30-Public Safety..... 9,215,000
 - (a) Grants to the City of
Los Angeles..... (1,000,000)
 - (b) Competitive grants
to all other cities..... (8,215,000)

Provisions:

1. All grantees must provide a dollar-for-dollar match to state grant funds awarded from Schedule (2).
2. The California Emergency Management Agency shall submit a report and evaluation of the grants awarded pursuant to Schedule (2) to the fiscal committees of the Legislature not later than April 1, 2013.
3. The amount appropriated in Schedule (2)(b) shall be competitive grants to cities. No grant shall exceed \$500,000, and at least two grants shall be awarded to cities with populations of 200,000 or less. In awarding grants, the California Emergency Management Agency shall give preference to applicants that incorporate regional approaches to antigang activities.
4. Each city that receives a grant from Schedule (2) shall collaborate and coordinate with area jurisdictions and agencies, including the existing county juvenile justice coordination council, with the goal of reducing gang activity in the city and adjacent areas. Each grantee shall establish a coordinating and advisory council to prioritize the use of the funds. Membership shall include city officials, local law enforcement, including the county sheriff, chief probation officer, and district attorney, local educational agencies, including school districts and the county office of education, and community-based organizations.
5. Each city that receives a grant from Schedule (2) shall distribute at least 20 percent of the grant funds it re-

ceives to one or more community-based organizations
pursuant to the city's application.

SEC. 65. Item 0690-102-0890 of Section 2.00 of the Budget
Act of 2009 is amended to read:

0690-102-0890—For local assistance, California Emergency Management Agency, payable from the Federal Trust Fund.....	111,209,000 251,259,000
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Schedule:

(1) 40.20-Victim Services.....	66,516,000
(2) 40.30-Public Safety.....	44,693,000 184,743,000

Provisions:

1. Notwithstanding any other provision of law, the California Emergency Management Agency may provide advance payment of up to 25 percent of grant funds awarded to community-based, nonprofit organizations, cities, school districts, counties, and other units of local government that have demonstrated cashflow problems according to the criteria set forth by the California Emergency Management Agency.
2. This item includes \$135,050,000 in funds for the purpose of administering federal Edward Byrne Memorial Justice Assistance Grant program funding provided by the American Recovery and Reinvestment Act of 2009. The California Emergency Management Agency (Cal EMA) shall distribute these one-time funds in the 2009–10 fiscal year consistent with the following requirements.
 - (a) Of the total provided, \$50,000,000 shall be used to provide substance abuse treatment for criminal offenders convicted of nonviolent drug offenses in the Offender Treatment Program or a similar program funded through the Department of Alcohol and Drug Programs (DADP). Of this amount, \$600,000 shall be for Cal EMA to enter into an interagency agreement with DADP to distribute and administer these funds according to program

requirements. The remaining \$49,400,000 provided for these programs shall be passed through to counties as local assistance.

- (b) Of the total provided, \$45,000,000 shall be used to provide grants to county probation departments for the purpose of providing evidence-based supervision, programs, or services to adult felon probationers with the purpose of reducing the likelihood that these probationers will commit new crimes or other violations and be sent to prison. In order to receive funding, applicants seeking these funds shall be required to demonstrate that the programs for which they are seeking funds are evidence-based and targeted towards adults on felony. Applicants shall also be required to demonstrate how these programs create jobs. Cal EMA shall seek to distribute these funds proportionately to all county probation departments that submit qualifying applications based on each county's population of adults 18 to 25 years of age, inclusive, provided that each county receiving funding shall receive a minimum of \$25,000. An evidence-based program for adult probationers is one for which the applicant can identify empirical evidence that the program has been shown to reduce rates of reoffending, rearrest, reconviction, or reincarceration for program participants or that the program is considered a best practice in the criminal justice literature. Evidence-based programs for adult offenders include, but are not limited to, risk and needs assessments, graduated sanctions for probation violators, substance abuse and mental health treatment, employment and training assistance, case management, intensive supervision for high-risk offenders coupled with treatment services, and program evaluation. Applicants must demonstrate how specified outcome-based measures consistent with the goals of this program will be identified and tracked. A total of \$424,000 of the

1 \$45,000,000 funded for this program shall be
2 awarded to the Administrative Office of the Courts
3 for the purpose of providing technical assistance
4 to recipient counties in implementing these grants,
5 including, but not limited to, developing, tracking,
6 and reporting on outcome-based measurements
7 to evaluate the program.

8 (c) Of the total provided, \$20,000,000 shall be used
9 for the Anti-Drug Abuse Enforcement Program
10 to support multi-jurisdictional drug task forces
11 that combat street to mid-level drug sales, manu-
12 facturing, and distribution at the local level.

13 (d) Of the total provided, \$10,000,000 shall be pro-
14 vided to the Department of Corrections and Reha-
15 bilitation to create, in partnership with state trial
16 courts, reentry courts designed to divert parole
17 violators from prison through use of collaborative
18 courts that provide enhanced supervision and
19 services for inmates with mental health and sub-
20 stance abuse problems.

21 (e) Of the total provided, \$3,750,000 shall be used
22 for human trafficking task forces for purposes of
23 increasing coordination among law enforcement
24 agencies, district attorneys, victim services
25 groups, and others to improve or increase training
26 in human trafficking cases and the investigation
27 and prosecution of those cases.

28 (f) Of the total provided, \$3,300,000 shall be used
29 for firearm trafficking programs designed to in-
30 crease coordination among state, federal, and
31 local law enforcement agencies for the purpose
32 of increasing antfirearms trafficking efforts in
33 California's border region.

34 (g) Of the total provided, \$3,000,000 shall be provid-
35 ed to the Corrections Standards Authority for the
36 purpose of improving the state's collection of
37 criminal justice information from both state and
38 local agencies.

39 (h) Applicants receiving funding shall have up to
40 three years to expend the funds.

SEC. 66. Item 0690-301-0890 is added to Section 2.00 of the Budget Act of 2009, to read:

0690-301-0890—For capital outlay, California Emergency Management Agency, payable from the Federal Trust Fund..... 1,857,000

Schedule:

(1) 80.10.006-Southern Region Facility—Preliminary plans..... 1,857,000

Provisions:

1. Notwithstanding any other provision of law, the California Emergency Management Agency may negotiate a long-term lease with the United States Army Corps of Engineers for the Southern Region replacement facility. Prior to entering into any agreement or lease, the California Emergency Management Agency shall obtain the approval of the Department of Finance. Additionally, at least 30 days prior to entering into any agreement or lease, the California Emergency Management Agency shall notify the chairpersons of the committees in each house of the Legislature that consider appropriations and the Joint Legislative Budget Committee of the terms and conditions of the agreement. If the Joint Legislative Budget Committee does not express any opposition, the California Emergency Management Agency may proceed with the agreement after 30 days from when the California Emergency Management Agency gave notice to the chairpersons.

SEC. 67. Item 0820-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0820-001-0001—For support of Department of Justice..... ~~345,933,000~~
305,933,000

Schedule:

(1) 11.01-Directorate—Administration..... ~~95,254,000~~
95,487,000

1	(2) 11.02-Distributed Directorate—Admin-	
2	istration.....	-95,254,000
3		-95,487,000
4	(3) 20-Division of Legal Services.....	362,011,000
5		365,630,000
6	(4) 50-Law Enforcement.....	253,387,000
7		235,808,000
8	(5) 60-California Justice Information Ser-	
9	vices.....	165,875,000
10	(6) Reimbursements.....	-40,005,000
11		-60,005,000
12	(6.5) Unallocated Reduction.....	-47,896,000
13	(7) Amount payable from the Attorney	
14	General Antitrust Account (Item 0820-	
15	001-0012).....	-1,342,000
16	(8) Amount payable from the Fingerprint	
17	Fees Account (Item 0820-001-0017)....	-66,615,000
18	(9) Amount payable from the Firearm	
19	Safety Account (Item 0820-001-	
20	0032).....	-331,000
21	(10) Amount payable from the Motor Vehi-	
22	cle Account, State Transportation Fund	
23	(Item 0820-001-0044).....	-23,834,000
24	(11) Amount payable from the Department	
25	of Justice Sexual Habitual Offender	
26	Fund (Item 0820-001-0142).....	-2,218,000
27	(12) Amount payable from the Travel Seller	
28	Fund (Item 0820-001-0158).....	-1,346,000
29	(13) Amount payable from the Restitution	
30	Fund (Item 0820-001-0214).....	-351,000
31	(14) Amount payable from the Sexual	
32	Predator Public Information Account	
33	(Item 0820-001-0256).....	-171,000
34	(15) Amount payable from the Indian	
35	Gaming Special Distribution Fund	
36	(Item 0820-001-0367).....	-14,080,000
37	(16) Amount payable from the False Claims	
38	Act Fund (Item 0820-001-0378).....	-10,090,000
39		-10,870,000

1	(17) Amount payable from the Dealers'	
2	Record of Sale Special Account (Item	
3	0820-001-0460).....	-9,907,000
4	(18) Amount payable from the Department	
5	of Justice Child Abuse Fund (Item	
6	0820-001-0566).....	-361,000
7	(19) Amount payable from the Gambling	
8	Control Fund (Item 0820-001-0567)....	-7,271,000
9	(20) Amount payable from the Gambling	
10	Control Fines and Penalties Account	
11	(Item 0820-001-0569).....	-45,000
12	(21) Amount payable from the Federal	
13	Trust Fund (Item 0820-001-0890).....	-37,914,000
14		-40,253,000
15	(22) Amount payable from the Federal Asset	
16	Forfeiture Account, Special Deposit	
17	Fund (Item 0820-001-0942).....	-1,551,000
18	(23) Amount payable from the State Asset	
19	Forfeiture Account, Special Deposit	
20	Fund (Item 0820-011-0942).....	-595,000
21	(24) Amount payable from the Firearms	
22	Safety and Enforcement Special Fund	
23	(Item 0820-001-1008).....	-3,252,000
24	(25) Amount payable from the Missing Per-	
25	sons DNA Data Base Fund (Item 0820-	
26	001-3016).....	-3,376,000
27	(26) Amount payable from the Public Rights	
28	Law Enforcement Special Fund (Item	
29	0820-001-3053).....	-5,615,000
30	(27) Amount payable from the Ratepayer	
31	Relief Fund (Item 0820-001-3061).....	-4,896,000
32	(28) Amount payable from the DNA Iden-	
33	tification Fund (Item 0820-001-	
34	3086).....	-29,267,000
35		-31,688,000
36	(29) Amount payable from the Unfair Com-	
37	petition Law Fund (Item 0820-001-	
38	3087).....	-3,247,000

- 1 (30) Amount payable from the Registry of
 2 Charitable Trusts Fund (Item 0820-001-
 3 3088)..... -2,830,000
 4 (31) Amount payable from the Legal
 5 Services Revolving Fund (Item 0820-
 6 001-9731)..... -114,653,000
 7 (31.5) Amount payable from the Foreclosure
 8 Consultant Regulation Fund (Item
 9 0820-001-3136)..... -500,000
 10 (32) Amount payable from the Central Ser-
 11 vice Cost Recovery Fund (Item 0820-
 12 001-9740)..... -2,281,000
 13 Provisions:
 14 1. The Attorney General shall submit to the Legislature,
 15 the ~~Department~~ Director of Finance, and the Governor
 16 the quarterly and annual reports that he or she submits
 17 to the federal government on the activities of the Medi-
 18 Cal Fraud Unit.
 19 2. Notwithstanding any other provision of law, the De-
 20 partment of Justice may purchase or lease vehicles of
 21 any type or class that, in the judgment of the Attorney
 22 General or his or her designee, are necessary to the
 23 performance of the investigatory and enforcement re-
 24 sponsibilities of the Department of Justice, from the
 25 funds appropriated for that purpose in this item.
 26 3. Of the amount included in Schedule (3), \$2,233,000
 27 is available for costs related to the Lloyd's of London
 28 (Stringfellow) litigation. Any funds not expended for
 29 this specific purpose as of June 30, 2010, shall revert
 30 immediately to the General Fund.
 31 4. Of the funds appropriated in this item, \$19,047,000 is
 32 available solely for the Correctional Law Section that
 33 handles only workload related to Department of Cor-
 34 rections and Rehabilitation cases.

35
 36 SEC. 68. Item 0820-001-0378 of Section 2.00 of the Budget
 37 Act of 2009 is amended to read:

0820-001-0378—For support of Department of Justice, for
payment to Item 0820-001-0001, payable from the False
Claims Act Fund..... ~~10,090,000~~
10,870,000

*SEC. 69. Item 0820-001-0890 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

0820-001-0890—For support of Department of Justice, for
payment to Item 0820-001-0001, payable from the Federal
Trust Fund..... ~~37,914,000~~
40,253,000

*SEC. 70. Item 0820-001-3086 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

0820-001-3086—For support of Department of Justice, for
payment to Item 0820-001-0001, payable from the DNA
Identification Fund..... ~~29,267,000~~
31,688,000

*SEC. 71. Item 0820-001-3136 is added to Section 2.00 of the
Budget Act of 2009, to read:*

0820-001-3136—For support of Department of Justice, for
payment to Item 0820-001-0001, payable from the Foreclo-
sure Consultant Regulation Fund..... 500,000

*SEC. 72. Item 0820-011-0317 is added to Section 2.00 of the
Budget Act of 2009, to read:*

0820-011-0317—For transfer by the Controller to the Foreclo-
sure Consultant Regulation Fund..... (500,000)

Provisions:

- 1. Notwithstanding any other provision of law, a loan of
\$500,000 is hereby authorized from the Real Estate
Fund to the Foreclosure Consultant Regulation Fund.
This loan shall be repaid with interest no later than
June 30, 2013.*

SEC. 73. Item 0840-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0840-001-0001—For support of the Controller.....	51,268,000
	59,414,000
Schedule:	
(1) 100000-Personal Services.....	99,968,000
	101,133,000
(2) 300000-Operating Expenses and Equipment.....	54,556,000
	76,340,000
(3) Reimbursements.....	-48,353,000
	-50,209,000
(3.5) Amount payable from various special and nongovernmental cost funds (Section 25.25).....	-14,206,000
(4) Amount payable from the Motor Vehicle Fuel Account, Transportation Tax Fund (Item 0840-001-0061).....	-3,907,000
	-3,817,000
(5) Amount payable from the Highway Users Tax Account, Transportation Tax Fund (Item 0840-001-0062).....	-1,115,000
	-1,085,000
(6) Amount payable from the Local Revenue Fund (Item 0840-001-0330).....	-565,000
	-549,000
(7) Amount payable from the Federal Trust Fund (Item 0840-001-0890).....	-766,000
	-745,000
(8) Amount payable from the State Penalty Fund (Item 0840-001-0903).....	-1,254,000
	-1,221,000
(9) Amount payable from the Unclaimed Property Fund (Item 0840-001-0970).....	-26,602,000
	-25,882,000

1	(10) Amount payable from various other	
2	unallocated nongovernmental cost funds	
3	(Retail Sales Tax Fund) (Item 0840-	
4	001-0988).....	-228,000
5		-222,000
6	(11) Amount payable from the 2006 State	
7	School Facilities Fund (Item 0840-001-	
8	6057).....	-921,000
9		-896,000
10	(12) Amount payable from the Central	
11	Service Cost Recovery Fund (Item	
12	0840-001-9740).....	-17,984,000
13		-17,709,000
14	(13) Amount payable from other unallocated	
15	special funds (Item 0840-011-0494).....	-90,000
16		-88,000
17	(14) Amount payable from unallocated bond	
18	funds (Item 0840-011-0797).....	-594,000
19		-578,000
20	(15) Amount payable from various other	
21	unallocated nongovernmental cost funds	
22	(Item 0840-011-0988).....	-85,000
23		-82,000
24	(16) Amount payable from the Public	
25	Transportation Account, State Trans-	
26	portation Fund (Section 25.50).....	-17,000
27		-16,000
28	(17) Amount payable from the Highway	
29	Users Tax Account, Transportation Tax	
30	Fund (Section 25.50).....	-272,000
31		-265,000
32	(18) Amount payable from the Motor Vehi-	
33	cle License Fee Account, Transporta-	
34	tion Tax Fund (Section 25.50).....	-15,000
35	(19) Amount payable from the DMV Local	
36	Agency Collection Fund (Section	
37	25.50).....	-2,000
38	(20) Amount payable from the Trial Court	
39	Trust Fund (Section 25.50).....	-155,000
40		-151,000

1	(21) Amount payable from the Timber Tax	
2	Fund (Section 25.50).....	-1,000
3	(22) Amount payable from the Public Safety	
4	Account, Local Public Safety Fund	
5	(Section 25.50).....	-240,000
6		-233,000
7	(23) Amount payable from the Local Rev-	
8	enue Fund (Section 25.50).....	-90,000
9		-87,000
10	Provisions:	
11	1. The funding provided in Item 0840-001-0970 shall be	
12	in lieu of the appropriation in Section 1564 of the Code	
13	of Civil Procedure for all costs, expenses, or obliga-	
14	tions connected with the administration of the Un-	
15	claimed Property Law, with the exception of payment	
16	of owners' or holders' claims pursuant to Section 1540,	
17	1542, 1560, or 1561 of the Code of Civil Procedure,	
18	or of payment of the costs of compensating contractors	
19	for locating and recovering unclaimed property due	
20	the state.	
21	2. Of the claims received for reimbursement of court-	
22	ordered or voluntary desegregation programs pursuant	
23	to Article 6 (commencing with Section 41540) of	
24	Chapter 3.2 of Part 24 of Division 3 of Title 2 of the	
25	Education Code, the Controller shall pay only those	
26	claims that have been subjected to audit by school	
27	districts in accordance with the Controller's procedures	
28	manual for conducting audits of education desegrega-	
29	tion claims. Furthermore, the Controller shall pay only	
30	those past-year actual claims for desegregation pro-	
31	gram costs that are accompanied by all reports issued	
32	by the auditing entity, unless the auditing entity was	
33	the Controller.	
34	3. The Controller may, with the concurrence of the Direc-	
35	tor of Finance and the Chairperson of the Joint Legisla-	
36	tive Budget Committee, bill affected state departments	
37	for activities required by Section 20050 of the State	
38	Administrative Manual, relating to the administration	
39	of federal pass-through funds.	

No billing may be sent to affected departments sooner than 30 days after the Chairperson of the Joint Legislative Budget Committee has been notified by the Director of Finance that he or she concurs with the amounts specified in the billings.

4. (a) Notwithstanding subdivision (b) of Section 1531 of the Code of Civil Procedure, the Controller may publish notice in any manner that the Controller determines reasonable, provided that (1) none of the moneys used for this purpose is redirected from funding for the Controller's audit activities, (2) no photograph is used in the publication of notice, and (3) no elected official's name is used in the publication of notice.
- (b) No funds appropriated in this act may be expended by the Controller to provide general information to the public, other than holders (as defined in subdivision (e) of Section 1501 of the Code of Civil Procedure) of unclaimed property, concerning the unclaimed property program or possible existence of unclaimed property held by the Controller's office, except for informational announcements to the news media, through the exchange of information on electronic bulletin boards, or no more than \$50,000 per year to inform the public about this program in activities already organized by the Controller for other purposes. This restriction does not apply to sending individual notices to property owners (as required by the Code of Civil Procedure).
5. Of the moneys appropriated to the Controller in this act, the Controller shall not expend more than \$500,000 to conduct posteligibility fraud audits of the Supplemental Security Income/State Supplementary Payment Program.
6. The Commission on State Mandates shall provide, in applicable parameters and guidelines, as follows:
 - (a) If a local agency or school district contracts with an independent contractor for the preparation and submission of reimbursement claims, the costs

1 reimbursable by the state for that purpose shall
2 not exceed the lesser of (1) 10 percent of the
3 amount of the claims prepared and submitted by
4 the independent contractor, or (2) the actual costs
5 that would necessarily have been incurred for that
6 purpose if performed by employees of the local
7 agency or school district.

8 (b) The maximum amount of reimbursement provided
9 in subdivision (a) may be exceeded only if the
10 local agency or school district establishes, by ap-
11 propriate documentation, that the preparation and
12 submission of these claims could not have been
13 accomplished without incurring the additional
14 costs claimed by the local agency or school dis-
15 trict.

- 16 7. The funds appropriated to the Controller in this item
17 may not be expended for any performance review or
18 performance audit except pursuant to specific statutory
19 authority. It is the intent of the Legislature that audits
20 conducted by the Controller, or under the direction of
21 the Controller, shall be fiscal audits that focus on
22 claims and disbursements, as provided for in Section
23 12410 of the Government Code. Any report, audit,
24 analysis, or evaluation issued by the Controller for the
25 2009–10 fiscal year shall cite the specific statutory or
26 constitutional provision authorizing the preparation
27 and release of the report, audit, analysis, or evaluation.
- 28 8. The Controller shall deliver his or her monthly report
29 on General Fund cash receipts and disbursements
30 within 10 days after the close of each month to the
31 Joint Legislative Budget Committee, the fiscal com-
32 mittees of the Legislature, the Department of Finance,
33 the Treasurer’s office, and the Legislative Analyst’s
34 Office.
- 35 9. For purposes of the review and payment of any claim
36 for reimbursement by local government submitted
37 pursuant to Section 54954.4 of the Government Code,
38 the Controller shall use the procedures that were in
39 effect at the time the claim was submitted.

- 1 10. Pursuant to subdivision (c) of Section 1564 of the Code
2 of Civil Procedure, the Controller shall transfer all
3 moneys in the Abandoned Property Account in excess
4 of \$50,000 to the General Fund no less frequently than
5 at the end of each month. This transfer shall include
6 unclaimed Proposition 103 insurance rebate moneys
7 pursuant to Section 1861.01 of the Insurance Code
8 and Section 1523 of the Code of Civil Procedure.
- 9 11. The Controller shall provide to the Department of Fi-
10 nance, the Chairperson of the Joint Legislative Budget
11 Committee, and the chairpersons of the fiscal commit-
12 tees of each house of the Legislature a report that
13 provides the following details by mandate: the level
14 of claims requested; the amount reduced by the initial
15 desk audit; the amount paid; the amount recouped;
16 and the results of a final audit and subsequent funding
17 adjustments. The report is due on June 30, 2010, and
18 will cover the fourth quarter of the 2008–09 fiscal year
19 and the first three quarters of the 2009–10 fiscal year.
- 20 12. To the extent authorized by existing law, the Controller
21 shall recoup the amount of any unallowable mandate
22 claim costs resulting from desk or field audits of such
23 claims.
- 24 13. The Controller’s estimate of the state’s liability for
25 postemployment benefits prepared to comply with
26 Governmental Accounting Standards Board (GASB)
27 Statement 45 shall include, in addition to all other
28 items required under the accounting statement: (a) an
29 identification and explanation of any significant differ-
30 ences in actuarial assumptions or methodology from
31 any relevant similar types of assumptions or method-
32 ology used by the Public Employees’ Retirement
33 System to estimate state pension obligations; and (b)
34 alternative calculations of the state’s liability for other
35 postemployment benefits using different long-term
36 rates of investment return consistent with a hypotheti-
37 cal assumption that the state will begin to deposit 100
38 percent or a lesser percent, respectively, of its annual
39 required contribution under GASB Statement 45 to a
40 retiree health and dental benefits trust fund beginning

1 in the 2007–08 fiscal year. This provision shall not
2 obligate the state to change the practice of funding
3 health and dental benefits for annuitants currently re-
4 quired under state law.

- 5 14. The funds appropriated to the Controller in this item
6 may not be expended on additional actuarial valua-
7 tions, beyond the annual actuarial valuation, for other
8 postemployment benefits, prior to obtaining concur-
9 rence in writing from the Department of Finance. The
10 additional actuarial valuations shall only be performed
11 to the extent resources exist, or if funds are provided
12 by the requesting agency.

- 13 15. The Controller shall provide the Chairperson of the
14 Joint Legislative Budget Committee and the chairper-
15 sons of the fiscal committees in each house of the
16 Legislature a report on the Human Resources Manage-
17 ment System specifying the dollars expended on the
18 program in the previous fiscal year and over the life
19 of the program and any known savings that have oc-
20 curred in the prior fiscal year, to be submitted annually
21 but no later than August 30 of each year. The report
22 should compare the known savings with the most re-
23 cent estimate of projected savings and explain the
24 methodology by which the savings were calculated.

- 25 16. The Controller shall deliver yearend financial data as
26 specified by the Department of Finance, for the fiscal
27 year just ended, in hard copy and electronic format,
28 by October 15 of each year and periodically as request-
29 ed by the Department of Finance. This information is
30 necessary for the Department of Finance to determine
31 the proper beginning balance of the current fiscal year
32 for budgetary purposes. To ensure timely completion
33 of the yearend financial data, the Controller should
34 enforce provisions in Section 12461.2 of the Govern-
35 ment Code and emphasize in its regulation the deadline
36 the yearend financial statements are due from the op-
37 erating departments to the Controller.

- 38 17. In the event new postage rates by the United States
39 Postal Service are adopted, but not in time for inclu-
40 sion in the 2009–10 May Revision, and the State

Controller's Office notifies the Department of Finance with ~~their~~ *its* estimates of the increased postage costs within 15 calendar days of the adoption of new rates, the Director of Finance may authorize expenditures in excess of the amount appropriated in this item by an amount necessary to fund the postage increase. This authorization shall occur not less than 15 days after the Department of Finance notifies the Chairperson of the Joint Legislative Budget Committee.

18. The \$345,000 loaned to the Local Agency Self Insurance Authority (LASIA), pursuant to Chapter 1327, of the Statutes of 1986, will not be required to be repaid.

19. It is the intent of the Legislature that this item contain zero funds for the purchase of modular furniture for the previously approved Cannery Business Park Lease Renewal/Expansion Project.

20. *Notwithstanding the provisions of Items 9840-001-0001 to 9840-001-0988, inclusive, the Department of Finance may adjust the amounts authorized under Item 0840-001-0001 and Section 25.25 of this act, consistent with the funding schedule included in the most recently approved Special Project Report for the 21st Century Project. No adjustments shall be made pursuant to this provision prior to a 30-day notification in writing to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees of each house of the Legislature that consider appropriations.*

SEC. 74. *Item 0840-001-0061 of Section 2.00 of the Budget Act of 2009 is amended to read:*

0840-001-0061—For support of the Controller, for payment to	
Item 0840-001-0001, payable from the Motor Vehicle	
Fuel Account, Transportation Tax Fund.....	3,907,000
	3,817,000

SEC. 75. *Item 0840-001-0062 of Section 2.00 of the Budget Act of 2009 is amended to read:*

0840-001-0062—For support of the Controller, for payment to
 Item 0840-001-0001, payable from the Highway Users
 Tax Account, Transportation Tax Fund..... ~~1,115,000~~
 1,085,000

*SEC. 76. Item 0840-001-0330 of Section 2.00 of the Budget
 Act of 2009 is amended to read:*

0840-001-0330—For support of the Controller, for payment to
 Item 0840-001-0001, payable from the Local Revenue
 Fund..... ~~565,000~~
 549,000

*SEC. 77. Item 0840-001-0890 of Section 2.00 of the Budget
 Act of 2009 is amended to read:*

0840-001-0890—For support of the Controller, for payment to
 Item 0840-001-0001, payable from the Federal Trust
 Fund..... ~~766,000~~
 745,000

*SEC. 78. Item 0840-001-0903 of Section 2.00 of the Budget
 Act of 2009 is amended to read:*

0840-001-0903—For support of the Controller, for payment to
 Item 0840-001-0001, payable from the State Penalty
 Fund..... ~~1,254,000~~
 1,221,000

*SEC. 79. Item 0840-001-0970 of Section 2.00 of the Budget
 Act of 2009 is amended to read:*

0840-001-0970—For support of the Controller, for payment to
 Item 0840-001-0001, payable from the Unclaimed Property
 Fund..... ~~26,602,000~~
 25,882,000

*SEC. 80. Item 0840-001-0988 of Section 2.00 of the Budget
 Act of 2009 is amended to read:*

0840-001-0988—For support of the Controller, for payment to
Item 0840-001-0001, payable from various other unallo-
cated nongovernmental cost funds (Retail Sales Tax
Fund)..... 228,000
222,000

*SEC. 81. Item 0840-001-6057 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

0840-001-6057—For support of the Controller, for payment to
Item 0840-001-0001, payable from the 2006 State School
Facilities Fund..... 921,000
896,000

*SEC. 82. Item 0840-001-9740 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

0840-001-9740—For support of the Controller, for payment to
Item 0840-001-0001, payable from the Central Service
Cost Recovery Fund..... 17,984,000
17,709,000

*SEC. 83. Item 0840-011-0494 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

0840-011-0494—For support of the Controller, for payment to
Item 0840-001-0001, payable from other unallocated spe-
cial funds..... 90,000
88,000

Provisions:

1. Notwithstanding any other provision of law, the Direc-
tor of Finance may authorize expenditures in excess
of the amount appropriated in this item not sooner than
30 days after notification in writing of the necessity
therefor is provided to the chairpersons of the fiscal
committees of each house of the Legislature and the
Chairperson of the Joint Legislative Budget Commit-
tee, or not sooner than whatever lesser time the chair-
person of the joint committee, or his or her designee,
may in each instance determine.

1
2 *SEC. 84. Item 0840-011-0797 of Section 2.00 of the Budget*
3 *Act of 2009 is amended to read:*

4
5 0840-011-0797—For support of the Controller, for payment to
6 Item 0840-001-0001, payable from unallocated bond
7 funds..... 594,000
8 578,000

9 Provisions:

- 10 1. Notwithstanding any other provision of law, the Direc-
11 tor of Finance may authorize expenditures in excess
12 of the amount appropriated in this item not sooner than
13 30 days after notification in writing of the necessity
14 therefor is provided to the chairpersons of the fiscal
15 committees of each house of the Legislature and the
16 Chairperson of the Joint Legislative Budget Commit-
17 tee, or not sooner than whatever lesser time the chair-
18 person of the joint committee, or his or her designee,
19 may in each instance determine.
20

21 *SEC. 85. Item 0840-011-0988 of Section 2.00 of the Budget*
22 *Act of 2009 is amended to read:*

23
24 0840-011-0988—For support of the Controller, for payment to
25 Item 0840-001-0001, payable from various other unallo-
26 cated nongovernmental cost funds..... 85,000
27 82,000

28 Provisions:

- 29 1. Notwithstanding any other provision of law, the Direc-
30 tor of Finance may authorize expenditures in excess
31 of the amount appropriated in this item not sooner than
32 30 days after notification in writing of the necessity
33 therefor is provided to the chairpersons of the fiscal
34 committees of each house of the Legislature and the
35 Chairperson of the Joint Legislative Budget Commit-
36 tee, or not sooner than whatever lesser time the chair-
37 person of the joint committee, or his or her designee,
38 may in each instance determine.
39

SEC. 86. *Item 0855-111-0367 of Section 2.00 of the Budget Act of 2009 is amended to read:*

0855-111-0367—For transfer by the Controller, upon order of the Director of Finance, from the Indian Gaming Special Distribution Fund, to the Indian Gaming Revenue Sharing Trust Fund..... (50,000,000)

Provisions:

1. The amount of any transfer ordered by the Director of Finance pursuant to this item shall be the minimum amount necessary to allow the Indian Gaming Revenue Sharing Trust Fund to distribute the quarterly payments described in Section 12012.90 of the Government Code and meet its other expenditure requirements. Any remaining portion of the amount authorized to be transferred pursuant to this item shall remain in the Indian Gaming Special Distribution Fund.
2. The Legislature finds and declares that the amount authorized in this item is expected to be sufficient to allow the Indian Gaming Revenue Sharing Trust Fund to distribute the quarterly payments described in Section 12012.90 of the Government Code during the ~~2008–09~~ 2009–10 fiscal year. Accordingly, the California Gambling Control Commission, acting for this purpose as the state gaming agency under various tribal-state compacts, shall not direct any funds to the Indian Gaming Revenue Sharing Trust Fund pursuant to Section 4.3.1(l) of the amended tribal-state compacts with the Morongo Band of Mission Indians, the Pechanga Band of Luiseño Indians, *and* the San Manuel Band of Mission Indians, ~~and the Syucan Band of the Kumeyaay Nation~~ *Section 4.3.1(k) of the tribal-state compact with the Shingle Springs Band of Miwok Indians*, and similar sections of any compacts or amended compacts ratified by the Legislature ~~in the 2008–09 fiscal year.~~
3. The Chairperson of the California Gambling Control Commission shall immediately submit a report to the Director of Finance, the Chairperson of the Joint Legislative Budget Committee, and the Legislative

Analyst if he or she determines that the Indian Gaming Revenue Sharing Trust Fund will not have sufficient funds to distribute the quarterly payments described in Section 12012.90 of the Government Code during the ~~2008-09~~ 2009-10 fiscal year after consideration of the funds authorized for transfer by this item. No earlier than 15 days after submission of that report, the California Gambling Control Commission may direct funds to the Indian Gaming Revenue Sharing Trust Fund, notwithstanding the requirements of Provision 2.

SEC. 87. Item 0860-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

0860-001-0001—For support of State Board of Equalization....	245,549,000
	266,003,000
Schedule:	
(1) 100000-Personal Services.....	327,541,000
	341,018,000
(2) 300000-Operating Expenses and Equipment.....	114,160,000
	126,186,000
(3) Reimbursements.....	135,652,000
	140,756,000
(4) Amount payable from the Breast Cancer Fund (Item 0860-001-0004).....	662,000
(5) Amount payable from the State Emergency Telephone Number Account (Item 0860-001-0022).....	1,459,000
	1,422,000
(6) Amount payable from the Motor Vehicle Fuel Account, Transportation Tax Fund (Item 0860-001-0061).....	21,068,000
	21,066,000
(7) Amount payable from the Occupational Lead Poisoning Prevention Account (Item 0860-001-0070).....	668,000

1	(8) Amount payable from the Childhood	
2	Lead Poisoning Prevention Fund (Item	
3	0860-001-0080).....	-479,000
4	(9) Amount payable from the Cigarette and	
5	Tobacco Products Surtax Fund (Item	
6	0860-001-0230).....	-8,385,000
7	(10) Amount payable from the Oil Spill	
8	Prevention and Administration Fund	
9	(Item 0860-001-0320).....	-230,000
10	(11) Amount payable from the Integrated	
11	Waste Management Account, Integrated	
12	Waste Management Fund (Item 0860-	
13	001-0387).....	-409,000
14	(12) Amount payable from the Underground	
15	Storage Tank Cleanup Fund (Item	
16	0860-001-0439).....	-3,133,000
17	(13) Amount payable from the Energy Re-	
18	sources Programs Account (Item 0860-	
19	001-0465).....	-256,000
20	(14) Amount payable from the California	
21	Children and Families First Trust Fund	
22	(Item 0860-001-0623).....	-14,523,000
23		-14,522,000
24	(15) Amount payable from the Federal Trust	
25	Fund (Item 0860-001-0890).....	-825,000
26	(16) Amount payable from the Timber Tax	
27	Fund (Item 0860-001-0965).....	-2,321,000
28	(17) Amount payable from the Gas Consump-	
29	tion Surcharge Fund (Item 0860-001-	
30	3015).....	-636,000
31		-621,000
32	(18) Amount payable from the Water Rights	
33	Fund (Item 0860-001-3058).....	-397,000
34	(19) Amount payable from the Electronic	
35	Waste Recovery and Recycling Account	
36	(Item 0860-001-3065).....	-4,401,000
37	(20) Amount payable from the Cigarette and	
38	Tobacco Products Compliance Fund	
39	(Item 0860-001-3067).....	-648,000

Provisions:

1. It is the intent of the Legislature that all funds appropriated to the State Board of Equalization for processing tax returns, auditing, and collecting owed tax amounts shall be used in a manner consistent with both its authorized budget and with the documents that were presented to the Legislature for its review in support of that budget. The State Board of Equalization shall not reduce expenditures or redirect either funding or personnel resources away from direct auditing or collection activities without prior approval of the Director of Finance. The director shall not approve any such reduction or redirection sooner than 30 days after providing notification to the Joint Legislative Budget Committee. No such position may be transferred from the organizational unit to which it was assigned in the 2009–10 Governor’s Budget and the Salaries and Wages Supplement as revised by legislative actions without the approval of the ~~Department~~ Director of Finance. Furthermore, the board shall expeditiously fill budgeted positions consistent with the funding provided in this act.

SEC. 88. Item 0860-001-0022 of Section 2.00 of the Budget Act of 2009 is amended to read:

0860-001-0022—For support of State Board of Equalization,	
for payment to Item 0860-001-0001, payable from the	
State Emergency Telephone Number Account.....	1,459,000
	1,422,000

SEC. 89. Item 0860-001-0061 of Section 2.00 of the Budget Act of 2009 is amended to read:

0860-001-0061—For support of State Board of Equalization,	
for payment to Item 0860-001-0001, payable from the	
Motor Vehicle Fuel Account, Transportation Tax Fund.....	21,068,000
	21,066,000

SEC. 90. Item 0860-001-0623 of Section 2.00 of the Budget Act of 2009 is amended to read:

0860-001-0623—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the California Children and Families Trust Fund.....	14,523,000
	14,522,000

SEC. 91. Item 0860-001-3015 of Section 2.00 of the Budget Act of 2009 is amended to read:

0860-001-3015—For support of State Board of Equalization, for payment to Item 0860-001-0001, payable from the Gas Consumption Surcharge Fund.....	636,000
	621,000

SEC. 92. Item 0911-001-0001 is added to Section 2.00 of the Budget Act of 2009, to read:

0911-001-0001—For support of the Citizens Redistricting Initiative.....	3,000,000
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Provisions:

1. The funds appropriated in this item shall be available for a three-year period. The Director of Finance shall allocate the funds in this item among the Citizens Redistricting Commission, the Secretary of State, and the Bureau of State Audits. In order to receive an allocation of funds under this provision, the Bureau of State Audits shall submit a request with a detailed cost estimate to the Chairperson of the Joint Legislative Budget Committee and the Director of Finance. If the chairperson of the joint committee provides a written notification to the director that the requested allocation, or a lesser amount, is needed to carry out expenses of the Bureau of State Audits as set forth in the detailed cost estimate, the director shall make an allocation of funds as identified in the written notification.

SEC. 93. Item 0950-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

1	0950-001-0001—For support of the Treasurer.....	4,538,000
2		4,964,000
3	Schedule:	
4	(1) 100000-Personal Services.....	20,382,000
5	(2) 300000-Operating Expenses and	
6	Equipment.....	6,559,000
7	(3) Reimbursements.....	-20,855,000
8		-20,235,000
9	(5) Amount payable from the Central Ser-	
10	vice Cost Recovery Fund (Item 0950-	
11	001-9740).....	-1,548,000
12		-1,742,000
13	Provisions:	
14	1. The Director of Finance may authorize a loan from	
15	the General Fund, in an amount not to exceed the level	
16	of reimbursements appropriated in Schedule (3) to the	
17	Treasurer's office, provided that:	
18	(a) The loan is to meet cash needs resulting from a	
19	delay in receipt of reimbursements.	
20	(b) The loan is short term, and shall be repaid within	
21	two months.	
22	(c) Interest charges may be waived pursuant to subdivi-	
23	sion (e) of Section 16314 of the Government	
24	Code.	
25	(d) The Director of Finance shall not approve the loan	
26	unless the approval is made in writing and filed	
27	with the Chairperson of the Joint Legislative	
28	Budget Committee and the chairpersons of the	
29	committees in each house of the Legislature that	
30	consider appropriations not later than 30 days	
31	prior to the effective date of the approval, or not	
32	sooner than whatever lesser time the chairperson	
33	of the joint committee, or his or her designee, may	
34	determine.	
35	(e) At the end of the two-month term of the loan, the	
36	Treasurer's office shall notify the Chairperson of	
37	the Joint Legislative Budget Committee whether	
38	the Treasurer's office has repaid the loan pursuant	
39	to subdivision (b).	
40		

SEC. 94. Item 0950-001-9740 of Section 2.00 of the Budget Act of 2009 is amended to read:

0950-001-9740—For support of the Treasurer, for payment to	
Item 0950-001-0001, payable from the Central Service	
Cost Recovery Fund.....	1,548,000
	1,742,000

SEC. 95. Item 0968-001-0457 of Section 2.00 of the Budget Act of 2009 is amended to read:

0968-001-0457—For support of California Tax Credit Allocation Committee, payable from the Tax Credit Allocation	
Fee Account.....	1,858,000
	2,358,000

Schedule:

(1) 10-California Tax Credit Allocation Committee.....	1,888,000
	2,388,000
(2) Reimbursements.....	-30,000

Provisions:

1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the California Tax Credit Allocation Committee in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the *joint* committee, or his or her designee, may in each instance determine.

SEC. 96. Item 0968-101-0890 is added to Section 2.00 of the Budget Act of 2009, to read:

0968-101-0890—For local assistance, California Tax Credit Allocation Committee, payable from the Federal Trust	
Fund.....	517,000,000

SEC. 97. Item 1100-011-0267 is added to Section 2.00 of the Budget Act of 2009, to read:

1100-011-0267—For transfer by the Controller from the Exposition Park Improvement Fund to the General Fund..... (2,771,000)

SEC. 98. Item 1111-002-0582 of Section 2.00 of the Budget Act of 2009 is amended to read:

1111-002-0582—For support of Bureau of Automotive Repair, Department of Consumer Affairs, payable from the High Polluter Repair or Removal Account..... ~~67,997,000~~
65,997,000

Schedule:

(1) 31.20.016-Vehicle Repair Assistance.... ~~17,034,000~~
19,009,000
(2) 31.20.030-Vehicle Retirement..... ~~37,989,000~~
34,014,000
(3) 31.20.040-Program Administration..... 12,974,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.
2. Notwithstanding Section 26.00, the Department of Finance may authorize transfers among and between Schedules (1) and (2). Any transfer made pursuant to this provision shall be reported in writing to the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee within 30 days of the date of the transfer.

SEC. 99. Item 1111-002-3122 is added to Section 2.00 of the Budget Act of 2009, to read:

1111-002-3122—For support of Bureau of Automotive Repair, Department of Consumer Affairs, payable from the Enhanced Fleet Modernization Subaccount in the High Polluter Removal and Repair Account..... 4,127,000

Schedule:

(1) 31.30.010-Off-Cycle Vehicle Retirement.....	3,300,000
(2) 31.30.030-Enhanced Program Administration.....	827,000

Provisions:

1. Notwithstanding any other provision of law, upon request of the Department of Consumer Affairs, the Department of Finance may augment the amount available for expenditure to pay for additional off-cycle retirements. The augmentation may only be made no sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, or no sooner than whatever lesser time the chairperson of the joint committee may in each instance determine. The amount of funds augmented shall be consistent with actual program participation and available revenues in the Enhanced Fleet Modernization Account.

SEC. 100. Item 1730-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

1730-001-0001—For support of Franchise Tax Board.....	517,020,000
	547,656,000

Schedule:

(1) 10-Tax Programs.....	512,084,000
	548,632,000
(2) 20-Homeowners and Renters Assistance.....	6,469,000
	1,650,000
(3) 30-Political Reform Audit (1,597,000).....	0
(4) 50-DMV Collections.....	8,381,000
(5) 60-Court Collections.....	12,141,000
(6) 70-Contract Work.....	14,211,000
(7) 80.01-Administration.....	28,846,000
(8) 80.02-Distributed Administration.....	-28,846,000

1	(9) Reimbursements.....	-15,209,000
2	(10) Amount payable from the Motor Vehi-	
3	cle Account, State Transportation Fund	
4	(Item 1730-001-0044).....	-2,913,000
5		-3,063,000
6	(11) Amount payable from the Motor Vehi-	
7	cle License Fee Account, Transporta-	
8	tion Tax Fund (Item 1730-001-0064)....	-5,468,000
9		-5,746,000
10	(12) Amount payable from the Emergency	
11	Food Assistance Program Fund (Item	
12	1730-001-0122).....	-6,000
13	(13) Amount payable from the Delinquent	
14	Tax Collection Fund (Section 19378 of	
15	the Revenue and Taxation Code).....	-404,000
16	(14) Amount payable from the Fish and	
17	Game Preservation Fund (Endangered	
18	and Rare Fish, Wildlife, and Plant	
19	Species Conservation and Enhancement	
20	Account) (Item 1730-001-0200).....	-13,000
21	(15) Amount payable from the Court Col-	
22	lection Account (Item 1730-001-	
23	0242).....	-12,141,000
24		-12,806,000
25	(16) Amount payable from the State Chil-	
26	dren's Trust Fund (Item 1730-001-	
27	0803).....	-11,000
28	(17) Amount payable from the California	
29	Alzheimer's Disease and Related Disor-	
30	ders Research Fund (Item 1730-001-	
31	0823).....	-11,000
32	(18) Amount payable from the California	
33	Seniors Special Fund (Item 1730-001-	
34	0886).....	-4,000
35	(19) Amount payable from the California	
36	Breast Cancer Research Fund (Item	
37	1730-001-0945).....	-7,000
38	(20) Amount payable from the California	
39	Peace Officer Memorial Foundation	
40	Fund (Item 1730-001-0974).....	-5,000

1	(21) Amount payable from the California	
2	Firefighters' Memorial Fund (Item	
3	1730-001-0979).....	-7,000
4	(22) Amount payable from the California	
5	Fund for Senior Citizens (Item 1730-	
6	001-0983).....	-7,000
7	(23) Amount payable from the California	
8	Military Family Relief Fund (Item	
9	1730-001-8022).....	-6,000
10	(24) Amount payable from the California	
11	Prostate Cancer Research Fund (Item	
12	1730-001-8025).....	-6,000
13	(25) Amount payable from the California	
14	Sexual Violence Victim Services Fund	
15	(Item 1730-001-8035).....	-6,000
16	(26) Amount payable from the California	
17	Colorectal Cancer Prevention Fund	
18	(Item 1730-001-8036).....	-6,000
19	(27) Amount payable from the Veterans'	
20	Quality of Life Fund (Item 1730-001-	
21	8037).....	-6,000
22	(28) Amount payable from the California	
23	Sea Otter Fund (Item 1730-001-	
24	8047).....	-6,000
25	(29) Amount payable from the ALS/Lou	
26	Gehrig's Disease Research Fund (Item	
27	1730-001-8053).....	-6,000
28	(30) Amount payable from the California	
29	Cancer Research Fund (Item 1730-001-	
30	8054).....	-6,000
31	(31) Amount payable from the Municipal	
32	Shelter Spay-Neuter Fund (Item 1730-	
33	001-8055).....	-6,000
34	(32) Amount payable from the California	
35	Ovarian Cancer Research Fund (Item	
36	1730-001-8056).....	-6,000
37	Provisions:	
38	1. It is the intent of the Legislature that all funds appro-	
39	priated to the Franchise Tax Board for processing tax	
40	returns, auditing, and collecting owed tax amounts	

1 shall be used in a manner consistent with both its au-
2 thorized budget and with the documents that were
3 presented to the Legislature for its review in support
4 of that budget. The Franchise Tax Board shall not re-
5 duce expenditures or redirect either funding or person-
6 nel resources away from direct auditing or collection
7 activities without prior approval of the Director of Fi-
8 nance. The director shall not approve any such reduc-
9 tion or redirection sooner than 30 days after providing
10 notification to the Joint Legislative Budget Committee.
11 No such position may be transferred from the organi-
12 zational unit to which it was assigned in the 2009–10
13 Governor’s Budget and the Salaries and Wages Sup-
14 plement as revised by legislative actions without the
15 approval of the Department of Finance. Furthermore,
16 the board shall expeditiously fill budgeted positions
17 consistent with the funding provided in this act.

- 18 2. It is the intent of the Legislature that the Franchise
19 Tax Board resolve tax controversies, without litigation,
20 on a basis that is fair to both the state and the taxpayer
21 and in a manner that will enhance voluntary compli-
22 ance and public confidence in the integrity and effi-
23 ciency of the board.
- 24 3. During the 2009–10 fiscal year, the collection cost
25 recovery fee for purposes of subparagraph (A) of
26 paragraph (1) of subdivision (a) of Section 19254 of
27 the Revenue and Taxation Code shall be \$217, and
28 the filing enforcement cost recovery fee for purposes
29 of subparagraph (A) of paragraph (2) of that subdivi-
30 sion shall be \$113.
- 31 4. During the 2009–10 fiscal year, the collection cost
32 recovery fee for purposes of subparagraph (B) of
33 paragraph (1) of subdivision (a) of Section 19254 of
34 the Revenue and Taxation Code shall be \$413, and
35 the filing enforcement cost recovery fee for purposes
36 of subparagraph (B) of paragraph (2) of that subdivi-
37 sion shall be \$188.
- 38 5. Notwithstanding subdivision (b) of Section 19282 of
39 the Revenue and Taxation Code, the combined costs
40 to administer the Court-Ordered Debt Collection Pro-

gram and to fund the Court-Ordered Debt Expansion Project may be funded from the Court Collection Account in an amount that may exceed 15 percent of annual collections.

6. *The Franchise Tax Board (FTB) shall submit a written report to the Joint Legislative Budget Committee, the Assembly Committee on Budget, the Senate Committee on Budget and Fiscal Review, and the revenue and taxation policy committees of both houses of the Legislature on the Enterprise Data to Revenue (EDR) project within 21 days of the following circumstances:*
 - (a) The project scope has changed and results in a 10-percent or more variance to schedule, cost, or revenue generation when compared to the most recent project document approved by the Office of the State Chief Information Officer (OSCIO). This includes, but is not limited to, any cumulative changes in system functionality and deployment plans that would trigger a special project report (SPR).*
 - (b) The project schedule has changed by 10 percent or more when compared to the most recent OSCIO-approved project document. This includes, but is not limited to, any cumulative changes in milestones or deliverables that would trigger an SPR.*
 - (c) The project costs has changed by 10 percent or more when compared to the most recent OSCIO-approved project document stating the total cost of system development. This includes, but is not limited to, any cumulative changes in contract, hardware/software, and staff expenses that would trigger an SPR.*
 - (d) The realized revenues generated for a given fiscal year by the developed EDR system (net of revenues generated by addressing FTB's backlog issue) vary by 10 percent or more above or below projected revenues in the most recent OSCIO-approved project document.*

Any report issued pursuant to this provision shall include a brief summary of the factors behind scope, schedule, cost or revenue changes and the steps FTB plans to take to address those issues, and the most recent Status Report on file at the OSCIO.

SEC. 101. Item 1730-001-0044 of Section 2.00 of the Budget Act of 2009 is amended to read:

1730-001-0044—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the Motor Vehicle Account, State Transportation Fund.....	2,913,000
	3,063,000

SEC. 102. Item 1730-001-0064 of Section 2.00 of the Budget Act of 2009 is amended to read:

1730-001-0064—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the Motor Vehicle License Fee Account, Transportation Tax Fund....	5,468,000
	5,746,000

SEC. 103. Item 1730-001-0242 of Section 2.00 of the Budget Act of 2009 is amended to read:

1730-001-0242—For support of Franchise Tax Board, for payment to Item 1730-001-0001, payable from the Court Collection Account.....	12,141,000
	12,806,000

SEC. 104. Item 1760-001-0001 of Section 2.00 of the Budget Act of 2009 is repealed.

1760-001-0001—For support of Department of General Services, for payment to Item 1760-001-0666.....	6,583,000
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Provisions:

1. The amount appropriated in this item is for State Capitol maintenance and repairs.

SEC. 105. Item 1760-001-0022 of Section 2.00 of the Budget Act of 2009 is repealed.

~~1760-001-0022—For support of Department of General Services, for payment to Item 1760-001-0666, payable from the State Emergency Telephone Number Account..... 2,269,000~~

SEC. 106. Item 1760-001-0666 of Section 2.00 of the Budget Act of 2009 is amended to read:

1760-001-0666—For support of Department of General Services, payable from the Service Revolving Fund..... 513,652,000
439,884,000

Schedule:

- (1) Program support..... 1,112,462,000
1,107,083,000
- (2) Distributed services..... -11,145,000
- (2.5) Reimbursements..... -77,241,000
- (3) Reimbursements—Lease revenue..... -12,276,000
- (4) Reimbursements—FI\$Cal..... -4,143,000
- (5) Amount payable from the General Fund (Item 1760-001-0001)..... -6,583,000
- (6) Amount payable from the General Fund (Item 1760-002-0001)..... -347,000
- (7) Amount payable from the Property Acquisition Law Money Account (Item 1760-001-0002)..... -3,276,000
- (8) Amount payable from the Motor Vehicle Parking Facilities Moneys Account (Item 1760-001-0003)..... -2,328,000
- (9) Amount payable from the State Emergency Telephone Number Account (Item 1760-001-0022)..... -2,269,000
- (10) Amount payable from the State Motor Vehicle Insurance Account (Item 1760-001-0026)..... -4,917,000
- (11) Amount payable from the Energy Resources Programs Account (Item 1760-001-0465)..... -1,699,000

1	(12) Amount payable from the Architecture	
2	Revolving Fund (Item 1760-001-	
3	0602).....	-43,676,000
4	(13) Amount payable from the State School	
5	Building Aid Fund (Item 1760-001-	
6	0739).....	-300,000
7	(14) Amount payable from the State School	
8	Deferred Maintenance Fund (Item	
9	1760-001-0961).....	-160,000
10	(15) Amount payable from the Building	
11	Standards Administration Special Re-	
12	volving Fund (Item 1760-001-3144)....	-278,000
13	(16) Amount payable from the 2006 State	
14	School Facilities Fund (Item 1760-	
15	001-6057).....	-15,118,000
16	(17) Amount payable from the Motor Vehi-	
17	cle Parking Facilities Moneys Account	
18	(Item 1760-002-0003).....	-1,085,000
19	(18) Amount payable from the Service	
20	Revolving Fund (Item 1760-002-	
21	0666).....	-150,741,000
22	(19) Amount payable from the Service Re-	
23	volving Fund (Item 1760-003-	
24	0666).....	-14,490,000
25	(20) Amount payable from the Service	
26	Revolving Fund (Item 1760-004-	
27	0666).....	-323,979,000
28	Provisions:	
29	1. Notwithstanding any other provision of law, revenues	
30	from the sale of legislative bills and publications re-	
31	ceived by the Legislative Bill Room shall be deposited	
32	in the Service Revolving Fund.	
33	2. Notwithstanding any other provision of law, if the	
34	Director of General Services determines in writing	
35	that there is insufficient cash in a special fund under	
36	his or her authority to make one or more payments	
37	currently due and payable, he or she may order the	
38	transfer of moneys to that special fund in the amount	
39	necessary to make payment or payments, as a loan	

1 from the Service Revolving Fund. That loan shall be
2 subject to all of the following conditions:

3 (a) No loan shall be made that would interfere with
4 carrying out the object for which the Service Re-
5 volving Fund was created.

6 (b) The loan shall be repaid as soon as there are suf-
7 ficient moneys in the recipient fund to repay the
8 amount loaned, but no later than 18 months after
9 the date of the loan. The amount loaned shall not
10 exceed the amount that the fund or program is
11 authorized at the time of the loan to expend during
12 the 2009–10 fiscal year from the recipient fund
13 except as otherwise provided in Provisions 4, 5,
14 and 6.

15 (c) The terms and conditions of the loan are approved,
16 prior to the transfer of funds, by the Department
17 of Finance pursuant to appropriate fiscal stan-
18 dards.

- 19 3. The Director of General Services may augment this
20 item or any of Items 1760-001-0002, 1760-001-0003,
21 1760-001-0026, and 1760-001-0602, by up to an ag-
22 gregate of 10 percent in cases where (a) the Legislature
23 has approved funds for a customer for the purchase of
24 services or equipment through the Department of
25 General Services (DGS) and the corresponding expen-
26 diture authority has not been provided in this item or
27 (b) a local government entity or the federal government
28 has requested services from the DGS. Any augmenta-
29 tion that is deemed to be necessary on a permanent
30 basis shall be submitted for review as part of the nor-
31 mal budget development process. If the Director of
32 General Services augments this item or Item 1760-
33 001-0002, 1760-001-0003, 1760-001-0026, or 1760-
34 001-0602, the DGS shall notify the Department of Fi-
35 nance within 30 days after that augmentation is made
36 as to the amount, justification, and the program aug-
37 mented. Any augmentation made in accordance with
38 this provision shall not result in an increase in any rate
39 charged to other departments for services or the pur-
40 chase of goods without the prior written consent of

1 the Department of Finance. The Director of General
2 Services shall not use this provision to augment this
3 item or Item 1760-001-0002, 1760-001-0003, 1760-
4 001-0026, or 1760-001-0602 for costs that the Depart-
5 ment of General Services had knowledge of in time
6 to include in the May Revision.

- 7 4. If this item or Item 1760-001-0002, 1760-001-0003,
8 1760-001-0026, or 1760-001-0602 is augmented pur-
9 suant to Provision 3 by the maximum allowed under
10 that provision, the Director of Finance may further
11 augment the item or items in cases where (a) the Leg-
12 islature has approved funds for a customer for the
13 purchase of services or equipment through the Depart-
14 ment of General Services (DGS) and the corresponding
15 expenditure authority has not been provided in these
16 items, or (b) a local government entity or the federal
17 government has requested services from the DGS. Any
18 augmentation that is deemed to be necessary on a
19 permanent basis shall be submitted for review as part
20 of the normal budget development process. The Direc-
21 tor of Finance shall not use this provision to augment
22 this item or Item 1760-001-0002, 1760-001-0003,
23 1760-001-0026, or 1760-001-0602 for costs of which
24 the Departments of Finance or General Services had
25 knowledge in time to include in the May Revision.

- 26 5. The Director of General Services may augment this
27 item and Items 1760-001-0003 and 1760-001-0026 to
28 increase authorized expenditures by the Office of State
29 Publishing, the Office of Risk and Insurance Manage-
30 ment, the Office of Fleet Administration, and the Of-
31 fice of Public Safety Radio Services. The augmentation
32 shall be for the specific purpose of enabling the Office
33 of State Publishing, the Office of Risk and Insurance
34 Management, the Office of Fleet Administration, and
35 the Office of Public Safety Radio Services to provide
36 competitive services to their customers (including local
37 government entities or the federal government) and
38 may be made only if the office has sufficient operating
39 reserves available to fund the augmentation. If the
40 Director of General Services proposes to augment any

1 of the items in this provision, the director shall notify
2 the Department of Finance, the chairpersons of the
3 fiscal committees of each house of the Legislature,
4 and the Chairperson of the Joint Legislative Budget
5 Committee 30 days prior to making the augmentation,
6 including the amount, justification, and the office
7 augmented. Any augmentation that is deemed to be
8 necessary on a permanent basis shall be submitted for
9 review as part of the normal budget development
10 process.

11 6. Any augmentation made pursuant to Provisions 3 and
12 4 shall be reported in writing to the chairpersons of
13 the fiscal committees of each house of the Legislature
14 and the Chairperson of the Joint Legislative Budget
15 Committee within 30 days of the date the augmentation
16 is approved. This notification shall be provided in a
17 format consistent with normal budget change requests,
18 including identification of the amount of, and justifi-
19 cation for, the augmentation, and the program that has
20 been augmented. Copies of the notification shall be
21 provided to the Department of Finance.

22 7. Notwithstanding any other provision of law, the Direc-
23 tor of General Services or his or her designee, in lieu
24 of the Director of Finance, is authorized to approve
25 Budget Revision, Standard Form 26, subject to a copy
26 being provided to the Department of Finance.

27 8. Notwithstanding any other provision of law, due to
28 the inability to issue energy efficiency revenue bonds
29 pursuant to Chapter 2.7 (commencing with Section
30 15814.10) of Part 10b of Division 3 of Title 2 of the
31 Government Code, in order to repay the General Fund
32 for the cost of completing energy efficiency projects
33 on specified buildings, the Department of General
34 Services shall, within 10 fiscal years, recover an
35 amount sufficient to repay the costs associated with
36 completed energy efficiency projects plus 5-percent
37 interest, through utility rates charged to tenants. On
38 August 1 of each fiscal year beginning with the
39 2005–06 fiscal year, the Department of General Ser-
40 vices shall transfer that amount to the General Fund.

1 Once the General Fund has been fully repaid, the De-
2 partment of General Services shall adjust utility rates
3 for all tenants to accurately reflect the current rates.

- 4 9. The Director of Finance is authorized to increase this
5 item for purposes of funding tenant improvement
6 projects to facilitate the backfill of vacant space within
7 stand-alone Department of General Services (DGS)
8 bond-funded office buildings. This provision shall
9 only be used to augment expenditure authority for
10 DGS stand-alone individual rate office buildings where
11 a \$.03 tenant improvement surcharge has been ap-
12 proved by the Department of Finance and is included
13 in the monthly rental rate. Department of Finance ap-
14 proval is contingent upon justification for the proposed
15 tenant improvement projects to be provided by the
16 DGS including an analysis of cost impacts and how
17 the tenant improvements will improve the state's uti-
18 lization of the facility. Any augmentation made in ac-
19 cordance with this provision shall not result in an in-
20 crease in any rate charged to other departments for
21 services without the prior written consent of the De-
22 partment of Finance. Any augmentation made pursuant
23 to this provision may be authorized not sooner than
24 30 days after notification in writing to the chairpersons
25 of the fiscal committees of each house of the Legisla-
26 ture and the Chairperson of the Joint Legislative
27 Budget Committee.

- 28 10. *Notwithstanding any other provision of law, funds*
29 *appropriated in this item may be transferred to Item*
30 *0502-001-0001 if the Director of Finance determines*
31 *the transfer to be necessary to carry out Governor's*
32 *Reorganization Plan No. 1 of 2009. These transfers*
33 *may be made upon the order of the Director of Finance*
34 *not sooner than 30 days after notification in writing*
35 *of the necessity therefor is provided to the chairper-*
36 *sons of the committees in each house of the Legislature*
37 *that consider appropriations and the Chairperson of*
38 *the Joint Legislative Budget Committee, or not sooner*
39 *than whatever lesser time the chairperson of the joint*

committee, or his or her designee, may in each instance determine.

SEC. 107. Item 1760-101-0022 of Section 2.00 of the Budget Act of 2009 is amended to read:

1760-101-0022—For local assistance, Department of General Services, for reimbursement of local agencies and service suppliers or communications equipment companies for costs incurred pursuant to Sections 41137, 41137.1, 41138, and 41140 of the Revenue and Taxation Code, payable from the State Emergency Telephone Number Account.... 120,604,000

0

Schedule:

(1) 911 Emergency Telephone Number System..... 104,523,000
(2) Enhanced Wireless Services..... 16,081,000
(3) Reimbursement..... -120,604,000

SEC. 108. Item 1760-301-0001 of Section 2.00 of the Budget Act of 2009 is repealed.

~~1760-301-0001—For capital outlay, Department of General Services.....~~

0

~~Schedule:~~

~~(2) 50.10.250-Sacramento Public Safety Communications Decentralization, Resources—Working drawings..... 95,000
(3) Reimbursements..... -95,000~~

~~Provisions:~~

~~1. Notwithstanding any other provision of law, the funds appropriated in Schedule (2) shall be reimbursed from the Department of Water Resources.~~

SEC. 109. Item 1760-301-0042 of Section 2.00 of the Budget Act of 2009 is repealed.

~~1760-301-0042—For capital outlay, Department of General Services, payable from the State Highway Account, State Transportation Fund.....~~

555,000

1 Schedule:

2 (1) ~~50.10.250-Sacramento Public Safety~~
 3 ~~Communications Decentralization, Re-~~
 4 ~~sources—Working drawings.....~~ 555,000

5
 6 *SEC. 110. Item 1760-301-0044 of Section 2.00 of the Budget*
 7 *Act of 2009 is repealed.*

8
 9 ~~1760-301-0044—For capital outlay, Department of General~~
 10 ~~Services, payable from the Motor Vehicle Account, State~~
 11 ~~Transportation Fund.....~~ 1,406,000

12 Schedule:

13 (1) ~~50.10.250-Sacramento Public Safety~~
 14 ~~Communications Decentralization, Re-~~
 15 ~~sources—Working drawings.....~~ 1,406,000

16
 17 *SEC. 111. Item 1760-301-0200 of Section 2.00 of the Budget*
 18 *Act of 2009 is repealed.*

19
 20 ~~1760-301-0200—For capital outlay, Department of General~~
 21 ~~Services, payable from the Fish and Game Preservation~~
 22 ~~Fund.....~~ 126,000

23 Schedule:

24 (1) ~~50.10.250-Sacramento Public Safety~~
 25 ~~Communications Decentralization, Re-~~
 26 ~~sources—Working drawings.....~~ 126,000

27
 28 *SEC. 112. Item 1760-301-0768 of Section 2.00 of the Budget*
 29 *Act of 2009 is repealed.*

30
 31 ~~1760-301-0768—For capital outlay, Department of General~~
 32 ~~Services, payable from the Earthquake Safety and Public~~
 33 ~~Buildings Rehabilitation Fund of 1990.....~~ 4,065,000

34 Schedule:

35 (0.5) ~~50.10.250-Sacramento Public Safety~~
 36 ~~Communications—Decentralization,~~
 37 ~~Resources—Working drawings.....~~ 1,028,000

(1) ~~50.99.428-Department of Corrections
and Rehabilitation, California Institute
for Women at Frontera, Corona: Walker
Clinic and Infirmary, Structural Retro-
fit—Construction.....~~ 3,037,000

SEC. 113. Item 1760-490 is added to Section 2.00 of the Budget Act of 2009, to read:

1760-490—Reappropriation, Department of General Services.

The balances of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in the following appropriations:

0660—Public Buildings Construction Fund

(1) Item 1760-301-0660, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 1760-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1) 50.10.151-Library and Courts Renovation—Construction

(2) Item 1760-301-0660, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1) 50.10.15-Library and Courts Building Renovation—Construction

0768—Earthquake Safety and Public Buildings Rehabilitation Fund of 1990

(1) Item 1760-301-0768, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(2) 50.99.091-Department of Corrections and Rehabilitation, DVI, Tracy, Hospital Building: Structural Retrofit—Construction

(2) Item 1760-301-0768, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(2.5) 50.99.09-California Department of Corrections and Rehabilitation, DVI, Tracy, Hospital Building: Structural Retrofit—Construction

SEC. 114. Item 1870-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

1	1870-001-0001—For support of California Victim Compensation	
2	and Government Claims Board.....	0
3	Schedule:	
4	(1) 11-Citizens Indemnification.....	26,923,000
5		27,328,000
6	(2) 12-Quality Assurance and Revenue Re-	
7	covery Division.....	9,418,000
8	(3) 31-Civil Claims Against the State.....	1,410,000
9	(4) 51.01-Administration.....	10,566,000
10	(5) 51.02-Distributed Administration.....	-10,566,000
11	(6) Reimbursements.....	-1,410,000
12	(7) Amount payable from the Restitution	
13	Fund (Item 1870-001-0214).....	-34,728,000
14	(8) Amount payable from the Federal Trust	
15	Fund (Item 1870-001-0890).....	-1,613,000
16		-2,018,000

17 Provisions:

- 18 1. The California Victim Compensation and Government
 19 Claims Board shall not routinely notify all local
 20 agencies and school districts regarding its proceedings.
 21 However, for each of its meetings, the board shall no-
 22 tify all parties whose claims or proposals are scheduled
 23 for consideration and any party requesting notice of
 24 the proceedings.

25
 26 *SEC. 115. Item 1870-001-0890 of Section 2.00 of the Budget*
 27 *Act of 2009 is amended to read:*

29	1870-001-0890—For support of California Victim Compensa-	
30	tion and Government Claims Board, for payment to Item	
31	1870-001-0001, payable from the Federal Trust Fund.....	1,613,000
32		2,018,000

33
 34 *SEC. 116. Item 1870-101-0890 of Section 2.00 of the Budget*
 35 *Act of 2009 is amended to read:*

1870-101-0890—For local assistance, California Victim Com-
pensation and Government Claims Board, for Program
11-Citizens Indemnification, payable from the Federal
Trust Fund..... 30,650,000
38,355,000

*SEC. 117. Item 1880-001-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

1880-001-0001—For support of State Personnel Board..... 3,107,000
Schedule:
(1) 10-Merit System Administration..... ~~22,349,000~~
22,856,000
(2) 40-Local Government Services..... 2,973,000
(3) 50.01-Administration Services..... 3,296,000
(4) 50.02-Distributed Administration Ser-
vices..... -1,976,000
(5) Reimbursements..... ~~-21,409,000~~
-21,916,000
(6) Amount payable from the Central Ser-
vice Cost Recovery Fund (Item 1880-
001-9740)..... -2,126,000

Provisions:

1. Notwithstanding any other provision of law, the Direc-
tor of Finance may authorize a loan from the General
Fund, in an amount not to exceed 35 percent of reim-
bursements appropriated in this item to the State Per-
sonnel Board, provided that:
 - (a) The loan is to meet cash needs resulting from the
delay in receipt of reimbursements for services
provided.
 - (b) The loan is for a short term and shall be repaid
by September 30, 2010.
 - (c) Interest charges may be waived pursuant to subdivi-
sion (e) of Section 16314 of the Government
Code.
 - (d) The Director of Finance may not approve the loan
unless the approval is made in writing and filed
with the Chairperson of the Joint Legislative
Budget Committee and the chairpersons of the

committees in each house of the Legislature that consider appropriations not later than 30 days prior to the effective date of the approval, or not sooner than whatever lesser time that the chairperson of the joint committee, or his or her designee, may determine.

2. The Department of General Services, with the consent of the Department of Personnel Administration and the State Personnel Board, may enter into a lease, lease-purchase agreement, or lease with an option to purchase for a build-to-suit facility for the ~~co-location~~ *colocation* of the Department of Personnel Administration and the State Personnel Board in the Sacramento area, subject to Department of Finance approval of the terms and conditions of the agreement. At least 30 days prior to entering into any agreement, the Department of General Services shall notify the chairpersons of the committees in each house of the Legislature that consider appropriations and the Joint Legislative Budget Committee of the terms and conditions of the agreement. If the Joint Legislative Budget Committee does not express any opposition, the Department of General Services may proceed with the agreement after 30 days from when the Department of General Services gave notice to the chairpersons.

SEC. 118. Item 1900-015-0815 of Section 2.00 of the Budget Act of 2009 is amended to read:

1900-015-0815—For support of Board of Administration of the Public Employees' Retirement System, payable from the Judges' Retirement Fund.....	(1,134,000)
	(1,101,000)

Provisions:

1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees' Retirement System (PERS), in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint Legislative Budget Committee, and the fiscal commit-

tees of each house of the Legislature, all of the following:

- (a) Not later than May 15, 2010, a copy of the proposed budget for PERS for the 2010–11 fiscal year as approved by the Board of Administration.
- (b) The revisions to the proposed budget for PERS for the 2009–10 fiscal year, as recommended by the PERS Finance Committee, at least 30 days prior to the consideration of those revisions by the Board of Administration.
- (c) Commencing October 1, 2009, all expenditure and performance workload data provided to the Board of Administration, as updated on a quarterly basis. This quarterly update information is to be submitted to the Joint Legislative Budget Committee and the fiscal committees of each house of the Legislature, and shall be in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of ~~Public Employees' Retirement System~~ PERS expenditures.

SEC. 119. Item 1900-015-0820 of Section 2.00 of the Budget Act of 2009 is amended to read:

1900-015-0820—For support of Board of Administration of the Public Employees' Retirement System, payable from the Legislators' Retirement Fund.....	(454,000)
	(369,000)

Provisions:

1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees' Retirement System, in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint Legislative Budget Committee, and the fiscal committees of each house of the Legislature all of the following:
 - (a) Not later than May 15, 2010, a copy of the proposed budget for the Public Employees' Retirement System.

ment System for the 2010–11 fiscal year as approved by the Board of Administration.

- (b) The revisions to the proposed budget for the Public Employees' Retirement System for the 2009–10 fiscal year, as recommended by the Public Employees' Retirement System Finance Committee, at least 30 days prior to consideration of those revisions by the Board of Administration.
- (c) Commencing October 1, 2009, all expenditure and performance workload data provided to the Board of Administration, as updated on a quarterly basis. This quarterly update information shall be submitted to the Joint Legislative Budget Committee and the fiscal committees of each house of the Legislature in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of the expenditures of the Public Employees' Retirement System.

SEC. 120. Item 1900-015-0830 of Section 2.00 of the Budget Act of 2009 is amended to read:

1900-015-0830—For support of Board of Administration of the Public Employees' Retirement System, payable from the Public Employees' Retirement Fund..... ~~(275,085,000)~~
(275,755,000)

Provisions:

1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees' Retirement System, in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint Legislative Budget Committee, and the fiscal committees of the Legislature, all of the following:
 - (a) No later than May 15, 2010, a copy of the proposed budget for the Public Employees' Retirement System for the 2010–11 fiscal year as approved by the Board of Administration.

- (b) The revisions to the proposed budget for the Public Employees' Retirement System for the 2009–10 fiscal year, as recommended by the Public Employees' Retirement System Finance Committee, at least 30 days prior to consideration of those revisions by the Board of Administration.
 - (c) Commencing October 1, 2009, all expenditure and performance workload data provided to the Board of Administration, as updated on a quarterly basis. This quarterly update information shall be submitted to the Joint Legislative Budget Committee and the fiscal committees of the Legislature in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of the expenditures of the Public Employees' Retirement System.
2. Commencing July 1, 2009, reports on information technology projects that are submitted to the Board of Administration of the Public Employees' Retirement System shall be submitted to the Joint Legislative Budget Committee, the fiscal committees of the Legislature, and the Department of Finance on an informational basis. The quarterly update information submitted to the Department of Finance shall be in sufficient detail to be useful for Department of Finance informational project status reporting purposes.

SEC. 121. Item 1900-015-0833 of Section 2.00 of the Budget Act of 2009 is amended to read:

1900-015-0833—For support of Board of Administration of the Public Employees' Retirement System, payable from the Annuitants' Health Care Coverage Fund.....	(552,000)
	(773,000)

Provisions:

1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees' Retirement System (PERS), in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint

Legislative Budget Committee, and the fiscal committees of each house of the Legislature, all of the following:

- (a) No later than May 15, 2010, a copy of the proposed budget for PERS for the 2010–11 fiscal year as approved by the Board of Administration.
- (b) The revisions to the proposed budget for PERS for the 2009–10 fiscal year, as recommended by the PERS Finance Committee, at least 30 days prior to consideration of those revisions by the Board of Administration.
- (c) Commencing October 1, 2009, all expenditure and performance workload data provided to the Board of Administration, as updated on a quarterly basis. This quarterly update information is to be submitted to the Joint Legislative Budget Committee and the fiscal committees of each house of the Legislature, and shall be in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of the PERS expenditures.

SEC. 122. Item 1900-015-0884 of Section 2.00 of the Budget Act of 2009 is amended to read:

1900-015-0884—For support of Board of Administration of the Public Employees' Retirement System, payable from the Judges' Retirement System II Fund.....	(685,000)
	(594,000)

Provisions:

- 1. Notwithstanding any other provision of law, the Board of Administration of the Public Employees' Retirement System (PERS), in accordance with all applicable provisions of the California Constitution, shall submit to the Controller, the Department of Finance, the Joint Legislative Budget Committee, and the fiscal committees of each house of the Legislature, all of the following:

- (a) No later than May 15, 2010, a copy of the proposed budget for PERS for the 2010–11 fiscal year as approved by the Board of Administration.
- (b) The revisions to the proposed budget for PERS for the 2009–10 fiscal year, as recommended by the PERS Finance Committee, at least 30 days prior to the consideration of those revisions by the Board of Administration.
- (c) Commencing October 1, 2009, all expenditure and performance workload data provided to the Board of Administration, as updated on a quarterly basis. This quarterly update information is to be submitted to the Joint Legislative Budget Committee and the fiscal committees of each house of the Legislature, and shall be in sufficient detail to be useful for legislative oversight purposes and to sustain a thorough ongoing review of ~~Public Employees' Retirement System~~ PERS expenditures.

SEC. 123. Item 1955-001-9730 of Section 2.00 of the Budget Act of 2009 is repealed.

~~1955-001-9730—For support of Department of Technology Services, payable from the Department of Technology Services Revolving Fund..... 239,283,000~~

~~Schedule:~~

- ~~(1) Administration of Technology Services..... 239,751,000~~
- ~~(2) Reimbursements..... -468,000~~

~~Provisions:~~

- ~~1. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for the Department of Technology Services in excess of the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint~~

committee, or his or her designee, may in each instance determine:

- 2- Expenditure authority provided in this item to support data center infrastructure projects may not be utilized for items outside the approved project scope. In addition, the Department of Technology Services shall report to the Office of the State Chief Information Officer actual expenditures associated with the projects when purchase agreements have been executed. Changes in project scope must receive approval using the established administrative and legislative reporting requirements.

SEC. 124. Item 2240-001-0648 of Section 2.00 of the Budget Act of 2009 is amended to read:

2240-001-0648—For support of Department of Housing and Community Development.....	17,398,000
Schedule:	
(1) 10-Codes and Standards Program.....	25,085,000
	25,326,000
(2) 20-Financial Assistance Program.....	23,666,000
	24,166,000
(3) 30-Housing Policy Development Program.....	3,258,000
(4) 50.01-Administration.....	11,929,000
(5) 50.02-Distributed Administration.....	-11,929,000
(6) 50.03-Distributed Administration of the Housing Policy Development Program.....	-136,000
(7) Reimbursements.....	-918,000
	-1,659,000
(8) Amount payable from the General Fund (Item 2240-001-0001).....	-3,788,000
(9) Amount payable from the Mobilehome Park Parks and Special Occupancy Parks Revolving Fund (Item 2240-001-0245).....	-6,422,000

1	(10) Amount payable from the Mobilehome	
2	Park Purchase Fund (Item 2240-001-	
3	0530).....	–601,000
4	(11) Amount payable from the Self-Help	
5	Housing Fund (Item 2240-001-0813)....	–128,000
6	(12) Amount payable from the Federal	
7	Trust Fund (Item 2240-001-0890).....	–11,291,000
8	(13) Amount payable from the Housing Re-	
9	habilitation Loan Fund (Item 2240-001-	
10	0929).....	–2,467,000
11	(14) Amount payable from the Rental	
12	Housing Construction Fund (Item 2240-	
13	001-0938).....	–977,000
14	(15) Amount payable from the Predevelop-	
15	ment Loan Fund (Item 2240-001-	
16	0980).....	–317,000
17	(16) Amount payable from the Emergency	
18	Housing and Assistance Fund (Item	
19	2240-001-0985).....	–473,000
20	(17) Amount payable from the Jobs-Housing	
21	Balance Improvement Account (Item	
22	2240-001-3006).....	–440,000
23	(18) Amount payable from the Building	
24	Standards- Administrative <i>Administrative</i>	
25	<i>tion Special</i> Revolving Fund (Item	
26	2240-001-3144).....	–280,000
27	(19) Amount payable from the Building Eq-	
28	uity and Growth in Neighborhoods	
29	Fund (Item 2240-001-6038).....	–329,000
30	(20) Amount payable from the Building Eq-	
31	uity and Growth in Neighborhoods	
32	Fund (Item 2240-002-6038).....	–1,039,000
33	(21) Amount payable from the Regional	
34	Planning, Housing, and Infill Incentive	
35	Account, Housing and Emergency	
36	Shelter Trust Fund of 2006 (Item 2240-	
37	001-6069).....	–2,555,000

(22) Amount payable from the Housing Urban-Suburban-and-Rural Parks Account, Housing and Emergency Shelter Trust Fund of 2006 (Item 2240-001-6071)..... -908,000

(23) Amount payable from the Transit-Oriented Development Implementation Fund (Item 2240-001-9736)..... -1,542,000

Provisions:

1. Notwithstanding Section 18077 of the Health and Safety Code, or any other provision of law, the first \$2,388,000 in revenues collected by the Department of Housing and Community Development from manufactured home license fees shall be deposited in the Mobilehome-Manufactured Home Revolving Fund, and shall be available to the department for the support, collection, administration, and enforcement of manufactured home license fees.

2. Notwithstanding Section 18077.5 of the Health and Safety Code, or any other provision of law, the Department of Housing and Community Development is not required to comply with the reporting requirement of Section 18077.5 of the Health and Safety Code.

SEC. 125. Item 2240-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

2240-101-0001—For local assistance, Department of Housing and Community Development..... 5,629,000

Schedule:

(1) 20-Financial Assistance Program..... ~~172,386,000~~
227,505,000

(2) Amount payable from the Federal Trust Fund (Item 2240-101-0890)..... ~~-166,757,000~~
-221,876,000

SEC. 126. Item 2240-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

2240-101-0890—For local assistance, Department of Housing
and Community Development, for payment to Item 2240-
101-0001, payable from the Federal Trust Fund..... ~~166,757,000~~
221,876,000

Provisions:

1. Notwithstanding any other provision of law, federal funds appropriated by this item but not encumbered or expended by June 30, 2010, may be expended in the subsequent fiscal year.
2. *Of the funds appropriated in this item, the Director of Finance may transfer up to \$1,600,000 to Item 2240-001-0890 for state operations costs of administration of federal housing stimulus funds.*

SEC. 127. Item 2240-490 is added to Section 2.00 of the Budget Act of 2009, to read:

2240-490—*Reappropriation, Department of Housing and Community Development. The balances of the appropriations provided in the citations below are reappropriated for the purposes provided in those appropriations and shall be available for encumbrance until June 30, 2010. Notwithstanding any other provision of law, the period to liquidate the encumbrances set forth below is extended to June 30, 2014.*

6038—*Building Equity and Growth in Neighborhoods (BEGIN) Fund*

(1) *Item 2240-102-6038, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

6069—*Regional Planning, Housing, and Infill Incentive Account, Housing and Emergency Shelter Trust Fund of 2006*

(1) *Item 2240-101-6069, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

9736—*Transit-Oriented Development Implementation Fund*

(1) *2240-101-9736, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

SEC. 128. Item 2320-001-0317 of Section 2.00 of the Budget Act of 2009 is amended to read:

2320-001-0317—For support of Department of Real Estate,
payable from the Real Estate Fund..... ~~44,906,000~~
43,906,000

Schedule:

(1) 10-Licensing and Education..... ~~9,532,000~~
9,312,000

(2) 20-Enforcement and Recovery..... ~~28,577,000~~
27,977,000

(3) 30-Subdivisions..... ~~7,139,000~~
6,959,000

(4) 40.10-Administration..... ~~8,498,000~~
7,498,000

(5) 40.20-Distributed Administration..... ~~-8,405,000~~
-7,405,000

(6) Reimbursements..... -435,000

Provisions:

1. Of the amount appropriated in this item, \$500,000 shall be used only for the purposes of the Real Estate Recovery Account.

SEC. 129. Item 2660-001-0042 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-001-0042—For support of Department of Transportation, payable from the State Highway Account, State Transportation Fund..... ~~2,535,650,000~~
2,502,590,000

Schedule:

(1) 10-Aeronautics..... ~~3,655,000~~
3,619,000

(2) 20.10-Highway Transportation—
Capital Outlay Support..... ~~1,702,066,000~~
1,605,623,000

(3) 20.30-Highway Transportation— Local
Assistance..... ~~45,946,000~~
42,345,000

1	(4) 20.40-Highway Transportation— Pro-	
2	gram Development.....	77,212,000
3		77,644,000
4	(5) 20.65-Highway Transportation— Le-	
5	gal.....	80,000,000
6		123,789,000
7	(6) 20.70-Highway Transportation— Op-	
8	erations.....	207,932,000
9		204,690,000
10	(7) 20.80-Highway Transportation—	
11	Maintenance.....	1,200,544,000
12		1,260,717,000
13	(8) 30-Mass Transportation.....	139,579,000
14		140,074,000
15	(9) 40-Transportation Planning.....	108,048,000
16		82,593,000
17	(10) 50.00-Administration.....	377,401,000
18		427,308,000
19	(11) 60.10-Equipment Service Program	
20	Costs.....	199,761,000
21		235,203,000
22	(11.5) 60.20-Distributed Equipment Ser-	
23	vice Program Costs.....	-199,761,000
24		-236,129,000
25	(12) Reimbursements.....	-337,578,000
26		-351,002,000
27	(13) Amount payable from the Aeronautics	
28	Account, State Transportation Fund	
29	(Item 2660-001-0041).....	-3,549,000
30	(14) Amount payable from the Bicycle	
31	Transportation Account, State Trans-	
32	portation Fund (Item 2660-001-	
33	0045).....	-20,000
34	(15) Amount payable from the Public	
35	Transportation Account, State	
36	Transportation Fund (Item 2660-001-	
37	0046).....	-160,945,000
38	(16) Amount payable from the Historic	
39	Property Maintenance Fund (Item 2660-	
40	001-0365).....	-1,632,000

1	(16.5) Amount payable from the Seismic	
2	Retrofit Bond Fund of 1996 (Section	
3	8879.3 of the Government Code).....	-5,482,000
4		-7,376,000
5	(17) Amount payable from the Federal	
6	Trust Fund (Item 2660-001-0890)....	-541,003,000
7		-495,617,000
8	(17.5) Amount payable from Federal Trust	
9	Fund.....	-26,221,000
10	(18) Amount payable from the Transporta-	
11	tion Financing Subaccount, State	
12	Highway Account, State Transportation	
13	Fund (Item 2660-001-6801).....	-782,000
14		-594,000
15	(18.5) Amount payable from the Trans-	
16	portation Investment Fund (Item	
17	2660-002-3008).....	-244,440,000
18		-289,277,000
19	(19) Amount payable from the State Route	
20	99 Account, Highway Safety, Traffic	
21	Reduction, Air Quality, and Port Secu-	
22	rity Fund of 2006 (Item 2660-004-	
23	6072).....	-4,496,000
24		-6,246,000
25	(21) Amount payable from the Corridor	
26	Mobility Improvement Account,	
27	Highway Safety, Traffic Reduction,	
28	Air Quality, and Port Security Fund of	
29	2006 (Item 2660-004-6055).....	-23,813,000
30		-40,642,000
31	(22) Amount payable from the Trade Corri-	
32	dors Improvement Fund (Item 2660-	
33	004-6056).....	-2,564,000
34		-3,487,000
35	(23) Amount payable from the Transporta-	
36	tion Facilities Account, Highway	
37	Safety, Traffic Reduction, Air Quality,	
38	and Port Security Fund of 2006 (Item	
39	2660-004-6058).....	-56,840,000
40		-57,427,000

1	(24) Amount payable from the Public	
2	Transportation Modernization, Improve-	
3	ment, and Service Enhancement Ac-	
4	count, Highway Safety, Traffic Reduc-	
5	tion, Air Quality, and Port Security	
6	Fund of 2006 (Item 2660-004-6059)....	-1,312,000
7	(24.5) Amount payable from the State-Local	
8	Partnership Program Account, High-	
9	way Safety, Traffic Reduction, Air	
10	Quality, and Port Security Fund of	
11	2006 (Item 2660-004-6060).....	-496,000
12	(26) Amount payable from the Local Bridge	
13	Seismic Retrofit Account, Highway	
14	Safety, Traffic Reduction, Air Quality,	
15	and Port Security Fund of 2006 (Item	
16	2660-004-6062).....	-232,000
17	(27) Amount payable from the Highway-	
18	Railroad Crossing Safety Account,	
19	Highway Safety, Traffic Reduction, Air	
20	Quality, and Port Security Fund of 2006	
21	(Item 2660-004-6063).....	-636,000
22	(28) Amount payable from the Highway	
23	Safety, Rehabilitation, and Preserva-	
24	tion Account, Highway Safety, Traffic	
25	Reduction, Air Quality, and Port Secu-	
26	rity Fund of 2006 (Item 2660-004-	
27	6064).....	-20,913,000
28		-18,175,000
29	Provisions:	
30	1. Notwithstanding any other provision of law, funds	
31	appropriated in this item from the State Highway Ac-	
32	count may be reduced and replaced by an equivalent	
33	amount of federal funds determined by the Department	
34	of Transportation to be available and necessary to	
35	comply with Section 8.50 and the most effective	
36	management of state transportation resources. Not	
37	more than 30 days after replacing the state funds with	
38	federal funds, the Director of Finance shall notify in	
39	writing the chairpersons of the committees in each	
40	house of the Legislature that consider appropriations	

1 and the Chairperson of the Joint Legislative Budget
2 Committee of this action.

- 3 2. Notwithstanding any other provision of law, funding
4 appropriated in this item may be transferred to Item
5 2660-005-0042 to pay for any necessary insurance,
6 debt service, and other financing-related expenditures
7 for Department of Transportation-owned office
8 buildings. Any transfer will require the prior approval
9 of the Department of Finance.

- 10 3. *Of the funds appropriated in Schedule (2),*
11 *\$1,184,744,000 is for state staff and state staff cash*
12 *overtime, \$271,696,000 is for external consultant and*
13 *professional services related to project delivery (also*
14 *known as 232 contracts), and \$149,183,000 is for op-*
15 *erating expenses.* The funds appropriated in Schedule
16 (2) for external consultant and professional services
17 related to project delivery ~~(also known as 232 con-~~
18 ~~tracts)~~ that are unencumbered or encumbered but un-
19 expended related to work that will not be performed
20 during the fiscal year shall revert to the fund from
21 which they were appropriated.

- 22 4. Notwithstanding any other provision of law, funds
23 appropriated in this item may be supplemented with
24 federal funding appropriation authority and with prior
25 fiscal year State Highway Account appropriation bal-
26 ances at a level determined by the Department of
27 Transportation as required to process claims utilizing
28 federal advance construction through the plan of finan-
29 cial adjustment process pursuant to Sections 11251
30 and 16365 of the Government Code.

- 31 5. Notwithstanding any other provision of law, funds
32 appropriated in Item 2660-001-0042, 50.00-Adminis-
33 tration from the State Highway Account, may be re-
34 duced and replaced by an equivalent amount of reim-
35 bursements determined by the Department of Trans-
36 portation to be available and necessary to comply with
37 Section 28.50 and the most effective management of
38 state transportation resources. The reimbursements
39 may also be reduced and replaced by an equivalent
40 amount of funds from the State Highway Account.

Not more than 30 days after replacing the State Highway Account funds with reimbursements and vice versa, the Director of Finance shall notify in writing the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee of this action.

6. Of the funds appropriated in Schedule (7), \$214,000,000 is for major maintenance contracts for the preservation of highway pavement, and shall not be used to supplant any other funding that would have been used for major pavement maintenance.

7. Of the funds appropriated in Schedule (5), ~~\$48,556,000~~ \$68,556,000 is for the payment of tort lawsuit claims and awards. Any funds for that purpose that are unencumbered as of April 1, 2010, may be transferred to Item 2660-302-0042. Any transfer shall require the prior approval of the Department of Finance.

8. Of the funds appropriated in this item, transfers shall be available to Items 2660-004-6055, 2660-004-6056, 2660-004-6058, 2660-004-6059, 2660-004-6060, 2660-004-6062, 2660-004-6063, 2660-004-6064, and 2660-004-6072. The Department of Finance shall authorize the transfer not sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee.

9. *Of the funds appropriated in Schedule (2), the following shall apply:*

(a) The Department of Transportation shall allocate an amount not to exceed \$500,000 per year for two years, from the State Highway Account, as appropriated in the Budget Act, for purposes of funding workforce development training to provide highway construction and trade-related apprenticeship and workforce preparation training to unemployed or underemployed individuals, including training related to the following:

(1) Preapprenticeship employability skills.

- 1 (2) *Job-readiness.*
- 2 (3) *Construction-related skills.*
- 3 (4) *Job referral and placement.*
- 4 (b) *The department is authorized to enter into con-*
- 5 *tracts for purposes of providing workforce devel-*
- 6 *opment training according to the following terms:*
- 7 (1) *Contracts shall be awarded on a competitive*
- 8 *basis.*
- 9 (2) *Contracts shall be awarded to bidders that*
- 10 *operate existing workforce development*
- 11 *programs, including, but not limited to, pro-*
- 12 *grams operated by the State Department of*
- 13 *Education, Regional Occupational Centers*
- 14 *and Programs, Apprenticeship Councils, lo-*
- 15 *cal Workforce Investment Boards, K–12*
- 16 *schools, industry associations, and communi-*
- 17 *ty organizations.*
- 18 (3) *To the maximum extent possible, funds should*
- 19 *be used in combination with other state, fed-*
- 20 *eral, local, or private funds to provide maxi-*
- 21 *mum workforce development benefit. The*
- 22 *department shall seek additional federal*
- 23 *grant dollars to expand the program.*
- 24 (4) *Priority is to be given to workforce develop-*
- 25 *ment efforts intended to provide benefits pri-*
- 26 *marily to neighborhoods experiencing high*
- 27 *rates of poverty and unemployment and low*
- 28 *levels of educational attainment, work expe-*
- 29 *rience, and workforce employability skills.*
- 30 (5) *Workforce development training will provide*
- 31 *specialized training and certifications neces-*
- 32 *sary to work in highway construction, includ-*
- 33 *ing skills related to green and emerging*
- 34 *technologies within the transportation indus-*
- 35 *try.*
- 36 (6) *Contractors must provide to the department*
- 37 *monthly reports that include the number of*
- 38 *enrollments, graduates, contractor partner-*
- 39 *ships developed for job placements, actual*
- 40 *job placements, and jobs retained.*

- 1 (c) *The department shall implement this provision in*
2 *collaboration with the Employment Development*
3 *Department and California Workforce Investment*
4 *Board.*
- 5 (d) *Funds shall be used solely for training or curricu-*
6 *lum.*
- 7 (e) *By March 1, 2011, the department shall report to*
8 *the Joint Legislative Budget Committee on out-*
9 *comes of the workforce development program.*
10 *The report shall include, but not necessarily be*
11 *limited to, the following information:*
 - 12 (1) *The amount of any supplemental funds re-*
13 *ceived for the program beyond the*
14 *\$1,000,000 provided for in this provision.*
 - 15 (2) *The name of each training provider and the*
16 *amount of funds allocated to each, including*
17 *a summary of expenditures by category.*
 - 18 (3) *The number of individuals who received*
19 *training by each provider, the number of*
20 *program graduates for each provider, and*
21 *the number of training-related job placements*
22 *by each provider.*
 - 23 (4) *A description of the coordination between*
24 *activities funded pursuant to this provision*
25 *and other federal, state, or local training*
26 *programs.*
 - 27 (5) *The extent to which funds provided for pur-*
28 *suant to this section were leveraged to ex-*
29 *pand other training resources.*
 - 30 (6) *A recommendation whether the department*
31 *should continue to provide funds for work-*
32 *force development training related to high-*
33 *way construction and, if so, recommendations*
34 *for improvement to the program.*
- 35 10. *Of the funds appropriated in Schedule (9), \$24,000,000*
36 *is for the Department of Transportation's preprogram-*
37 *ming activities, including the preparation of project*
38 *initiation documents. Beginning in the 2010–11 fiscal*
39 *year and every year thereafter, the department's bud-*
40 *get for Schedule (9) shall be adjusted based on work-*

load for key activities within the program, including the preparation of project initiation documents. The department shall provide to the Legislature information to support each year's budget request for Schedule (9) as part of the Governor's Budget submitted each January.

11. No later than January 10, 2010, the Department of Transportation shall provide to the Legislature information explaining and justifying the workload for the department's legal, information technology, administrative, and civil rights activities for all the department's programs.

12. No funding is available in this item for the implementation of a Public-Private Partnership program. However, this item may be augmented by \$2,533,000 for implementation of a Public-Private Partnership program, upon the order of the Director of Finance, if legislation is enacted to clarify existing law that the California Transportation Commission is responsible for reviewing and approving proposed public-private partnerships projects and final lease agreements. Implementation may include activities related to development of implementation plans, guidelines and administrative procedures, coordination among state and regional entities, marketing, and other activities necessary to implement a Public-Private Partnership program. If the legislation described in this provision is enacted, the Department of Transportation is hereby authorized to enter into contracts for the provision of legal, financial, and technical services needed to implement the Public-Private Partnership program for up to a total of \$8,500,000, of which \$6,900,000 is subject to future augmentation as provided in this provision. If the legislation described in this provision is enacted, and specific Public-Private Partnership projects are identified for evaluation, review, and analysis by the department, this item may additionally be augmented by up to \$6,900,000 after submittal of a request to the Joint Legislative Budget Committee for 30-day review. Any request for an augmentation

by the department should include a description of the location, scope, and financing for the project being evaluated, reviewed, or analyzed.

SEC. 130. Item 2660-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-001-0890—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Federal Trust Fund.....	541,003,000 495,617,000
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Provisions:

1. For Program 20—Highway Transportation. For purposes of Section 163 of the Streets and Highways Code, all expenditures from this item shall be deemed to be expenditures from the State Highway Account, State Transportation Fund.
2. For Program 20—Highway Transportation. Federal funds may be received from any federal source, and shall be deposited in the Federal Trust Fund. Any federal reimbursements shall be credited to the account from which the expenditures were originally made.
3. Notwithstanding any other provision of law, the Director of Finance may augment this item with additional federal funds in conjunction with an equivalent offsetting reduction in State Highway Account funds in Item 2660-001-0042, pursuant to Provision 1 of that item or Public Transportation Account funds in Item 2660-001-0046, pursuant to Provision 2 of that item.

SEC. 131. Item 2660-001-6801 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-001-6801—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Transportation Financing Subaccount, State Highway Account, State Transportation Fund.....	782,000 594,000
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SEC. 132. Item 2660-002-0890 is added to Section 2.00 of the Budget Act of 2009, to read:

2660-002-0890—For support of Department of Transportation, for debt service requirements and other financing related costs for federal Grant Anticipation Revenue Vehicles (GARVEE) issued in the 2009–10 fiscal year, payable from the Federal Trust Fund..... 675,000,000

Provisions:

1. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for encumbrance or expenditure until expended.
2. Notwithstanding Section 28.00, upon approval of the Department of Finance, this item may be augmented if additional funds are necessary to meet debt service and other requirements related to the fiscal year 2009–10 GARVEE issuance.
3. The appropriation in this item reflects, in part, the pledge made by the California Transportation Commission in accordance with Section 14553.7 of the Government Code in connection with the GARVEE bonds issued in the 2009–10 fiscal year.
4. Funds appropriated in this item are in lieu of the amounts that have been appropriated pursuant to Section 14554.8 of the Government Code.

SEC. 133. Item 2660-002-3007 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-002-3007—For support of Department of Transportation, payable from the Traffic Congestion Relief Fund..... ~~27,797,000~~
16,393,000

Schedule:

- (1) 20.10-Highway Transportation—Capital Outlay Support..... ~~27,510,000~~
16,106,000
- (2) 30-Mass Transportation..... 287,000

Provisions:

1. Notwithstanding any other provision of law, if the California Transportation Commission allocates funds

to Traffic Congestion Relief Program projects in the 2009–10 fiscal year, the Director of Finance may increase expenditure authority in this item for additional capital outlay staffing directly related to new Traffic Congestion Relief Program allocations after notifying the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees in each house of the Legislature that consider appropriations not later than 30 days prior to the effective date of the approval.

SEC. 134. Item 2660-002-3008 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-002-3008—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Transportation Investment Fund.....	244,440,000
	289,277,000

SEC. 135. Item 2660-004-6055 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-004-6055—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Corridor Mobility Improvement Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006.....	23,813,000
	40,642,000

Provisions:

1. Provision 8 of Item 2660-001-0042 also applies to this item.

SEC. 136. Item 2660-004-6056 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-004-6056—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Trade Corridors Improvement Fund.....	2,564,000
	3,487,000

Provisions:

1. Provision 8 of Item 2660-001-0042 also applies to this item.

SEC. 137. Item 2660-004-6058 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-004-6058—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Transportation Facilities Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006....

	56,840,000
	57,427,000

Provisions:

1. Provision 8 of Item 2660-001-0042 also applies to this item.

SEC. 138. Item 2660-004-6064 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-004-6064—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the Highway Safety, Rehabilitation, and Preservation Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006.....

	20,913,000
	18,175,000

Provisions:

1. Provision 8 of Item 2660-001-0042 also applies to this item.

SEC. 139. Item 2660-004-6072 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-004-6072—For support of Department of Transportation, for payment to Item 2660-001-0042, payable from the State Route 99 Account, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006.....

	4,496,000
	6,246,000

Provisions:

1. Provision 8 of Item 2660-001-0042 also applies to this item.

SEC. 140. Item 2660-011-0042 is added to Section 2.00 of the Budget Act of 2009, to read:

2660-011-0042—For transfer by the Controller, upon order of the Director of Finance, from the State Highway Account, State Transportation Fund, to the General Fund.... (135,000,000)
Provisions:

1. The amount transferred in this item is a loan to the General Fund and shall be repaid by June 30, 2012. The repayment shall be made as to ensure that the programs supported by the State Highway Account, State Transportation Fund, are not adversely affected by the loan. This loan shall be repaid with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the transfer.

SEC. 141. Item 2660-102-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-102-0890—For local assistance, Department of Transportation, non-State Transportation Improvement Program (STIP), payable from the Federal Trust Fund..... ~~1,469,313,000~~
1,462,711,000

Schedule:

- | | |
|-------------------------------------|--------------------------|
| (1) 20-Highway Transportation..... | 1,358,113,000 |
| | 1,351,511,000 |
| (2) 30-Mass Transportation..... | 46,100,000 |
| (3) 40-Transportation Planning..... | 65,100,000 |

Provisions:

1. Notwithstanding any other provision of law, funds appropriated in this item may be transferred intraschedule or to Item 2660-101-0890, 2660-301-0890, or 2660-302-0890. These transfers shall require the prior approval of the Department of Finance. Funds appropriated in Schedules (1) and (2) shall be available for allocation by the California Transportation Commission until June 30, 2011, and available for encumbrance and liquidation until June 30, 2015.

2. For Program 20—Highway Transportation. For purposes of the Streets and Highways Code, all expenditures from this item shall be deemed to be expenditures from the State Highway Account, State Transportation Fund.
3. For Program 20—Highway Transportation. Federal funds may be received from any federal source and shall be deposited in the Federal Trust Fund. Any federal reimbursements shall be credited to the account from which the expenditures were originally made.

SEC. 142. Item 2660-302-0042 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-302-0042—For capital outlay, Department of Transportation, non-State Transportation Improvement Program (STIP), payable from the State Highway Account, State Transportation Fund..... ~~295,000,000~~
369,687,000

Schedule:

(1) 20-Highway Transportation..... ~~1,520,000,000~~
1,594,687,000

(a) State Highway
Operation and
Protection Program..... ~~(1,520,000,000)~~
(1,594,687,000)

(2) Reimbursements..... -1,225,000,000

Provisions:

1. These funds shall be available for allocation by the California Transportation Commission until June 30, 2011, and available for encumbrance and liquidation until June 30, 2015.
2. Notwithstanding any other provision of law, funds appropriated in this item may be transferred to Item 2660-101-0042, 2660-102-0042, 2660-301-0042, or 2660-311-0042. These transfers shall require the prior approval of the Department of Finance.
4. No funds appropriated in this item are available for expenditure on specialty building facilities. For the

purpose of this item, specialty building facilities are equipment facilities, maintenance facilities, material laboratories, and traffic management centers.

SEC. 143. Item 2660-302-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

2660-302-0890—For capital outlay, Department of Transportation, non-State Transportation Improvement Program (STIP), payable from the Federal Trust Fund..... ~~1,388,039,000~~
1,209,652,000

Schedule:

(1) 20-Highway Transportation..... ~~1,388,039,000~~
1,209,652,000

(a) State Highway
Operation and
Protection Program..... ~~(1,388,039,000)~~
(1,209,652,000)

Provisions:

1. Notwithstanding any other provision of law, amounts scheduled in this item may be transferred to Item 2660-101-0890, 2660-102-0890, or 2660-301-0890. These transfers shall require the prior approval of the Department of Finance. These funds shall be available for allocation by the California Transportation Commission until June 30, 2011, and available for encumbrance and liquidation until June 30, 2015.
2. For purposes of the Streets and Highways Code, all expenditures from this item shall be deemed to be expenditures from the State Highway Account, State Transportation Fund.
3. Federal funds may be received from any federal source and shall be deposited in the Federal Trust Fund. Any federal reimbursements shall be credited to the account from which the expenditures were originally made.
4. No funds appropriated in this item are available for expenditure on specialty building facilities. For the purpose of this item, specialty building facilities are

equipment facilities, maintenance facilities, material
laboratories, and traffic management centers.

*SEC. 144. Item 2660-303-0042 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

2660-303-0042—For capital outlay, Department of Transporta-	
tion, specialty building facilities, payable from the State	
Highway Account, State Transportation Fund.....	56,000,000
	48,500,000

Schedule:

(1) 20-Highway Transportation.....	56,000,000
	48,500,000

Provisions:

- For the purpose of this item, specialty building facilities are equipment facilities, maintenance facilities, material laboratories, and traffic management centers. Ancillary equipment associated with the management of transportation systems such as loop detectors, closed-circuit television cameras, and transportation management systems field elements are not deemed specialty building facilities and are not funded from this item.

*SEC. 145. Item 2660-491 of Section 2.00 of the Budget Act of
2009 is amended to read:*

2660-491—Reappropriation, Department of Transportation.
Notwithstanding any other provision of law, the unliquidated encumbrances for the appropriations provided in the following citations are reappropriated until June 30, 2010. The unencumbered balance shall not be available for encumbrance.

0042—State Highway Account

(0.3) *Item 2660-301-0042, Budget Act of 1999 (Ch. 50, Stats. 1999)*

(0.5) *Item 2660-301-0042, Budget Act of 2000 (Ch. 52, Stats. 2000)*

(1) *Item 2660-301-0042, Budget Act of 2002 (Ch. 379, Stats. 2002)*

(1.5) Item 2660-301-0042, Budget Act of 2003 (Ch. 157, Stats. 2003)

(2) Item 2660-302-0042, Budget Act of 2002 (Ch. 379, Stats. 2002)

(3) Item 2660-302-0042, Budget Act of 2003 (Ch. 157, Stats. 2003)

~~0046—Public Transportation Account~~

(1) ~~Item 2660-301-0046, Budget Act of 2001 (Ch. 106, Stats. 2001)~~

~~0890—Federal Trust Fund~~

(1) ~~Item 2660-301-0890, Budget Act of 1999 (Ch. 50, Stats. 1999)~~

(2) ~~Item 2660-301-0890, Budget Act of 2000 (Ch. 52, Stats. 2000)~~

(3) ~~Item 2660-301-0890, Budget Act of 2001 (Ch. 106, Stats. 2001)~~

SEC. 146. Item 2665-004-6043 of Section 2.00 of the Budget Act of 2009 is amended to read:

2665-004-6043—For support of High-Speed Rail Authority,	
payable in accordance with and from the proceeds of the	
Safe, Reliable High-Speed Train Bond Act for the 21st	
Century, payable from the High-Speed Passenger Train	
Bond Fund.....	1,795,000
	139,180,000

Provisions:

1. *The High-Speed Rail Authority is required to post in the 2009–10 fiscal year and annually thereafter its budget on their Internet Web site in order to insure public access and transparency.*
2. *Of the funds appropriated in this item, \$139,180,000 is appropriated to the High-Speed Rail Authority for the following purposes: project-level design and environmental review, program management services, financial planning, and public-private partnership program. As part of the project-level design and environmental review activities, the authority shall analyze alternative alignments to that identified as the preferred alignment in the certified program Environmen-*

1 *tal Impact Report (EIR) for the San Francisco-San*
2 *Jose corridor.*

- 3 3. *Of the funds appropriated in this item, \$69,590,000*
4 *shall be available for expenditure only after January*
5 *1, 2010, after the submittal of a revised business plan*
6 *to, and a 30-day review by, the Joint Legislative Bud-*
7 *get Committee that, among other things, addresses,*
8 *at a minimum: (a) a plan for a community outreach*
9 *component to cities, towns, and neighborhoods affect-*
10 *ed by this project, (b) further system details, such as*
11 *route selection and alternative alignment considera-*
12 *tions, (c) a thorough discussion describing the steps*
13 *being pursued to secure financing, (d) a working*
14 *timeline with specific, achievable milestones, and (e)*
15 *what strategies the authority would pursue to mitigate*
16 *different risks and threats. The authority shall submit*
17 *the revised business plan to the Joint Legislative*
18 *Budget Committee no later than December 15, 2009.*

19 *The revised business plan shall also provide addi-*
20 *tional information related to funding, project develop-*
21 *ment schedule, proposed levels of service, ridership,*
22 *capacity, operational plans, cost, private investment*
23 *strategies, staffing, and a history of expenditures and*
24 *accomplishments to date. In developing this revised*
25 *business plan, the authority shall work in consultation*
26 *with the appropriate legislative policy committees and*
27 *the Legislative Analyst's Office to respond to specific*
28 *aspects in the plan.*

- 29 4. *Notwithstanding any other provision of law, funds*
30 *appropriated in this item from the High-Speed Passen-*
31 *ger Train Bond Fund, to the extent permissible under*
32 *federal law, may be reduced and replaced by an*
33 *equivalent amount of federal funds determined by the*
34 *High-Speed Rail Authority to be available and neces-*
35 *sary to comply with Section 8.50 and the most effective*
36 *management of state high-speed rail transportation*
37 *resources. Not more than 30 days after replacing the*
38 *state funds with federal funds, the Director of Finance*
39 *shall notify in writing the chairpersons of the commit-*
40 *tees in each house of the Legislature that consider*

appropriations and the Chairperson of the Joint Legislative Budget Committee of this action.

SEC. 147. Item 2670-001-0290 of Section 2.00 of the Budget Act of 2009 is amended to read:

2670-001-0290—For support of Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun, payable from the Board of Pilot Commissioners' Special Fund..... 2,894,000
3,136,000

Schedule:

(1) 10.01-Support..... 1,487,000
1,729,000

(2) 10.03-Training..... 1,407,000

Provisions:

1. The amount appropriated in this item may include revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

SEC. 148. Item 2720-001-0044 of Section 2.00 of the Budget Act of 2009 is amended to read:

2720-001-0044—For support of Department of the California Highway Patrol, payable from the Motor Vehicle Account, State Transportation Fund..... 1,790,074,000
1,791,293,000

Schedule:

(1) 10-Traffic Management..... 1,741,069,000
1,742,413,000

(2) 20-Regulation and Inspection..... 203,231,000
204,324,000

(3) 30-Vehicle Ownership Security..... 45,812,000
45,847,000

(4) 40.01-Administration..... 328,501,000
340,410,000

(5) 40.02-Distributed Administration..... -327,880,000
-339,789,000

(6) Reimbursements..... -115,720,000

- | | | |
|----|--|-------------|
| 1 | (7) Amount payable from the State High- | |
| 2 | way Account (Item 2720-001-0042).... | -60,404,000 |
| 3 | (8) Amount payable from the Motor Carri- | |
| 4 | ers Safety Improvement Fund (Item | |
| 5 | 2720-001-0293)..... | -2,575,000 |
| 6 | (9) Amount payable from the California | |
| 7 | Motorcyclist Safety Fund (Item 2720- | |
| 8 | 001-0840)..... | -1,409,000 |
| 9 | | -1,662,000 |
| 10 | (10) Amount payable from the Federal | |
| 11 | Trust Fund (Item 2720-001-0890).... | -18,222,000 |
| 12 | | -19,222,000 |
| 13 | (11) Amount payable from the Hazardous | |
| 14 | Substance Account, Special Deposit | |
| 15 | Fund (Item 2720-001-0942)..... | -213,000 |
| 16 | (12) Amount payable from the Asset Forfei- | |
| 17 | ture Account, Special Deposit Fund | |
| 18 | (Item 2720-011-0942)..... | -2,116,000 |
| 19 | Provisions: | |
| 20 | 1. On March 1, 2010, and each March 1 thereafter until | |
| 21 | the project is fully implemented, the Department of | |
| 22 | the California Highway Patrol shall report the status | |
| 23 | of the California Highway Patrol Enhanced Radio | |
| 24 | System to the appropriate fiscal and policy committees | |
| 25 | of the Legislature and the Joint Legislative Budget | |
| 26 | Committee. At a minimum, each report shall include | |
| 27 | all of the following: (a) a revised estimate of total | |
| 28 | project costs and activities, by fiscal year, including | |
| 29 | separate reporting on the categories of mobiles, | |
| 30 | portables, remote site equipment, Department of | |
| 31 | General Services costs, and other; (b) a description of | |
| 32 | any changes in the project scope including the type | |
| 33 | and number of hardware units needed, and changes to | |
| 34 | the frequencies used; and (c) a description of any ad- | |
| 35 | verse effects to interoperability caused by changes in | |
| 36 | usage of new technology by local agencies or other | |
| 37 | state agencies. | |
| 38 | 2. Of the funds appropriated in this item, \$7,000,000 may | |
| 39 | be directed to increase the Department of the Califor- | |

nia Highway Patrol's support for police and sheriffs
in antigang activities.

*SEC. 149. Item 2720-001-0840 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

2720-001-0840—For support of Department of the California Highway Patrol, for payment to Item 2720-001-0044, payable from the California Motorcyclist Safety Fund.....	1,409,000 1,662,000
--	-----------------------------------

*SEC. 150. Item 2720-001-0890 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

2720-001-0890—For support of Department of the California Highway Patrol, for payment to Item 2720-001-0044, payable from the Federal Trust Fund.....	18,222,000 19,222,000
---	-------------------------------------

*SEC. 151. Item 2720-301-0044 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

2720-301-0044—For capital outlay, Department of the California Highway Patrol, payable from the Motor Vehicle Account, State Transportation Fund.....	3,617,000 6,334,000
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Schedule:

(1) 50.04.004-California Highway Patrol Enhanced Radio System: Replace Towers and Vaults—Preliminary plans and working drawings.....	3,617,000 6,334,000
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Provisions:

1. Notwithstanding any other provision of law, funds
appropriated in Schedule (1) for working drawings
shall be available for expenditure until June 30, 2011.

*SEC. 152. Item 2740-001-0042 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

2740-001-0042—For support of Department of Motor Vehicles,
for payment to Item 2740-001-0044, payable from the
State Highway Account, State Transportation Fund..... ~~52,452,000~~
52,731,000

*SEC. 153. Item 2740-001-0044 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

2740-001-0044—For support of Department of Motor Vehicles,
payable from the Motor Vehicle Account, State Transportation Fund..... ~~522,929,000~~
832,386,000

Schedule:

- (1) 11-Vehicle/Vessel Identification and Compliance..... ~~528,507,000~~
531,686,000
- (2) 22-Driver Licensing and Personal Identification..... ~~242,663,000~~
250,563,000
- (3) 25-Driver Safety..... ~~118,306,000~~
118,930,000
- (4) 32-Occupational Licensing and Investigative Services..... ~~48,328,000~~
48,586,000
- (5) 35-New Motor Vehicle Board..... 2,076,000
- (6) 41.01-Administration..... ~~105,478,000~~
106,674,000
- (7) 41.02-Distributed Administration..... ~~105,478,000~~
106,674,000
- (8) Reimbursements..... -14,514,000
- (9) Amount payable from the State Highway Account, State Transportation Fund (Item 2740-001-0042)..... ~~-52,452,000~~
-52,731,000
- (10) Amount payable from the New Motor Vehicle Board Account (Item 2740-001-0054)..... -2,076,000
- (11) Amount payable from the Harbors and Watercraft Revolving Fund (Item 2740-001-0516)..... -4,405,000

(12) Amount payable from the Federal Trust	
Fund (Item 2740-001-0890).....	-2,435,000
(13) Amount payable from the Motor	
Vehicle License Fee Account,	
Transportation Tax Fund (Item 2740-	
001-0064).....	-341,069,000
	-43,024,000
(14) Amount payable from the State Park	
Access Fund.....	-270,000

Provisions:

1. No later than December 31 of each year up to and including 2014, the Department of Motor Vehicles shall report to the Joint Legislative Budget Committee and the policy committees on transportation of both houses of the Legislature on all of the following concerning the Information Technology Modernization project: (a) planned milestone completion dates versus actual milestone completion dates, (b) planned expenditures by phase versus actual expenditures by phase, and (c) description of adherence to scope and reasons for any changes.
2. *Of the funds appropriated in this item, \$6,591,000 is appropriated to the Department of Motor Vehicles so that it may implement a new Driver's License/Identification/Salesperson card contract. No funding is included in the department's budget to purchase, install, or use the biometric technology of facial-recognition software. For the purpose of this provision, "facial-recognition software" means computer technology that would allow the automated matching of a digital image or photo of an individual against a database of digital images or photos of that individual or other individuals. Any purchase or use, in the 2009–10 fiscal year and thereafter, of facial-recognition software shall be permitted only upon enactment of subsequent legislation that authorizes such technology and the use of such technology.*

SEC. 154. Item 2740-001-0064 of Section 2.00 of the Budget Act of 2009 is amended to read:

2740-001-0064—For support of Department of Motor Vehicles,
for payment to Item 2740-001-0044, payable from the
Motor Vehicle License Fee Account, Transportation Tax
Fund..... 341,069,000
43,024,000

*SEC. 155. Item 2740-001-3154 is added to Section 2.00 of the
Budget Act of 2009, to read:*

2740-001-3154—For support of Department of Motor Vehicles,
for payment to Item 2740-001-0044, payable from the State
Park Access Fund..... 270,000

*SEC. 156. Item 2740-011-0044 is added to Section 2.00 of the
Budget Act of 2009, to read:*

2740-011-0044—For transfer by the Controller, upon order of
the Director of Finance, from the Motor Vehicle Account,
State Transportation Fund, to the General Fund..... (70,000,000)
Provisions:

1. The funds transferred in this item are moneys from
revenues that are not protected by Article XIX of the
California Constitution.

*SEC. 157. Item 2740-491 is added to Section 2.00 of the Budget
Act of 2009, to read:*

2740-491—Extension of liquidation period, Department of
Motor Vehicles. Notwithstanding any other provision of
law, funds appropriated in the following citations shall be
made available for liquidation of encumbrances until June
30, 2010:

- (1) Up to \$8,500,000 appropriated in Schedule (2) of Item
2740-001-0044, Budget Act of 2006 (Chs. 47 and 48,
Stats. 2006), is reappropriated only for the purpose
of completing the Web site Infrastructure Project and
shall be available for expenditure until June 30, 2010.
Any of the funds not used for these purposes shall re-
vert to the Motor Vehicle Account.

1 *SEC. 158. Item 3125-490 is added to Section 2.00 of the Budget*
2 *Act of 2009, to read:*

3
4 3125-490—*Reappropriation, California Tahoe Conservancy.*
5 *Notwithstanding any other provision of law, the period to*
6 *liquidate encumbrances of the following citations is extend-*
7 *ed until June 30, 2011:*

8 0005—*Safe Neighborhood Parks, Clean Water, Clean Air,*
9 *and Coastal Protection Bond Fund*

10 (1) *Item 3125-101-0005, Budget Act of 2003 (Ch. 157,*
11 *Stats. 2003), as reappropriated by Item 3125-490,*
12 *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

13 (1) *10-Tahoe Conservancy*

14 (2) *Reimbursements*

15 6029—*California Clean Water, Clean Air, Safe Neighbor-*
16 *hood Parks, and Coastal Protection Fund*

17 (1) *Item 3125-101-6029, Budget Act of 2003 (Ch. 157,*
18 *Stats. 2003), as reappropriated by Item 3125-490,*
19 *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

20 (1) *10-Tahoe Conservancy*

21 (2) *Item 3125-101-6029, Budget Act of 2004 (Ch. 208,*
22 *Stats. 2004)*

23 (1) *10-Tahoe Conservancy*

24 (3) *Item 3125-101-6029, Budget Act of 2005 (Chs. 38 and*
25 *39, Stats. 2005)*

26 (1) *10-Tahoe Conservancy*

27 6031—*Water Security, Clean Drinking Water, Coastal and*
28 *Beach Protection Fund of 2002*

29 (1) *Item 3125-101-6031, Budget Act of 2004 (Ch. 208,*
30 *Stats. 2004)*

31 (1) *10-Tahoe Conservancy*

32 (2) *Item 3125-101-6031, Budget Act of 2005 (Chs. 38 and*
33 *39, Stats. 2005)*

34 (1) *10-Tahoe Conservancy*

35
36 *SEC. 159. Item 3125-491 is added to Section 2.00 of the Budget*
37 *Act of 2009, to read:*

3125-491—*Reappropriation, California Tahoe Conservancy.*
Notwithstanding any other provision of law, the period to
liquidate encumbrances of the following citations is extend-
ed until June 30, 2011:

0005—*Safe Neighborhood Parks, Clean Water, Clean Air,
and Coastal Protection Bond Fund*

(1) *Item 3125-301-0005, Budget Act of 2003 (Ch. 157,
Stats. 2003), as reappropriated by Item 3125-491,
Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

(1) *50.30.002-Land acquisition and site improve-
ments—Public access and recreation*

(2) *50.30.003-Acquisition, restoration, and enhance-
ment of habitat*

(3) *50.30.004-Land acquisition and site improve-
ments—Stream environment zones and watershed
restorations*

(4) *50.30.005-Land acquisition*

6029—*California Clean Water, Clean Air, Safe Neighbor-
hood Parks, and Coastal Protection Fund*

(1) *Item 3125-301-6029, Budget Act of 2004 (Ch. 208,
Stats. 2004)*

(1) *50.30.002-For land acquisition and site improve-
ments for public access and recreation*

(2) *50.30.003-For land acquisition and site improve-
ments for wildlife enhancement*

(3) *50.30.004-For land acquisition and site improve-
ments for stream environment zones and water-
shed restorations*

(4) *50.30.005-For land acquisitions*

(5) *Reimbursements*

(2) *Item 3125-301-6029, Budget Act of 2005 (Chs. 38 and
39, Stats. 2005)*

(1) *50.30.002-For land acquisition and site improve-
ments for public access and recreation*

(2) *50.30.003-For land acquisition and site improve-
ments for wildlife enhancement*

(3) *50.30.004-For land acquisition and site improve-
ments for stream environment zones and water-
shed restorations*

(4) *50.30.005-For land acquisitions*

(5) *Reimbursements*

SEC. 160. Item 3340-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

3340-001-0001—For support of California Conservation Corps..... ~~34,184,000~~
0

Schedule:

(1) 10-Training and Work Program..... ~~64,238,000~~
71,538,000
(2) 20.01-Administration..... 7,902,000
(3) 20.02-Distributed Administration..... -7,902,000
(3.2) *Reimbursements*..... -34,184,000
(3.5) *Amount payable from the California Environmental License Plate Fund (Item 3340-001-0140)*..... -300,000
(4) Amount payable from the Collins-Dugan California Conservation Corps Reimbursement Account (Item 3340-001-0318)..... -25,585,000
(5) Amount payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Item 3340-001-6051)..... ~~-4,469,000~~
-11,469,000

Provisions:

1. Of the funds appropriated in this item, \$2,725,000 shall be available for use by the California Conservation Corps to respond to natural disasters and other emergencies, including the fighting of forest fires. The Director of Finance may adjust this amount to the extent indicated by corrections identified by the director in the reports of the past expenditures of the California Conservation Corps upon which the amounts appropriated by this item are based. The Director of Finance shall notify the Chairperson of the Joint Legislative Budget Committee at least 30 days prior to making that adjustment.

2. To the extent that funds in excess of the amount identified in Provision 1 are necessary in order for the California Conservation Corps to respond to one or more emergencies declared by the Governor, the Department of Finance shall transfer, from the funds available pursuant to Section 8690.6 of the Government Code, an amount not to exceed \$1,500,000 as necessary to fund that response. If, after the Department of Finance has transferred funds pursuant to this provision, the California Conservation Corps receives reimbursements or other amounts in payment of its costs of response to one or more declared emergencies, those amounts shall be deposited in the General Fund.

SEC. 161. Item 3340-001-0140 is added to Section 2.00 of the Budget Act of 2009, to read:

3340-001-0140—For support of the California Conservation Corps, for payment to Item 3340-001-0001, payable from the California Environmental License Plate Fund..... 300,000

SEC. 162. Item 3340-001-0318 of Section 2.00 of the Budget Act of 2009 is amended to read:

3340-001-0318—For support of California Conservation Corps, for payment to Item 3340-001-0001, payable from the Collins-Dugan California Conservation Corps Reimbursement Account..... 25,585,000

Provisions:

1. Notwithstanding Section 14316 of the Public Resources Code, the Department of Finance may make a loan from the General Fund to the Collins-Dugan California Conservation Corps Reimbursement Account for the purposes of this item, in the amount of 25 percent of the reimbursements anticipated in the Collins-Dugan California Conservation Corps Reimbursement Account to be received by the California Conservation Corps from each client agency, not to exceed an aggregate total of \$5,963,000 to meet cashflow needs due to delays in collecting reimburse-

ments. Any loan made by the Department of Finance pursuant to this provision shall only be made if the California Conservation Corps has a valid contract or certification signed by the client agency, which demonstrates that sufficient funds will be available to repay the loan. All moneys so transferred shall be repaid to the General Fund as soon as possible, but not later than one year from the date of the loan. On and after a date of 90 days after the end of that year, the Department of Finance shall charge interest to the California Conservation Corps, at the rate earned in the Pooled Money Investment Account, on any portion of the loan that has not been repaid.

2. Notwithstanding ~~Section~~ *Sections 28.00 and 28.50*, the Department of Finance may augment this item to reflect increases in reimbursements in the Collins-Dugan California Conservation Corps Reimbursement Account received from another officer, department, division, bureau, or other agency of the state *or from a local government, the federal government, or non-profit organizations that has requested emergency services from the California Conservation Corps after it has notified the Legislature through a letter to the Joint Legislative Budget Committee. Any augmentation that is deemed to be necessary on a permanent basis shall be submitted for review as a part of the regular budget process.*

SEC. 163. Item 3340-001-6051 of Section 2.00 of the Budget Act of 2009 is amended to read:

3340-001-6051—For support of California Conservation Corps, for payment to Item 3340-001-0001, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006.....	4,469,000
	11,469,000

Provisions:

1. The use of these funds shall include, but is not limited to, outreach education for, and workforce training of, California's foster care youth.

SEC. 164. Item 3340-101-6051 is added to Section 2.00 of the Budget Act of 2009, to read:

3340-101-6051—For local assistance, California Conservation Corps, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006..... 6,700,000

Provisions:

1. The use of these funds shall include, but is not limited to, outreach to, education for, and workforce training of California's foster care youth.

SEC. 165. Item 3340-490 is added to Section 2.00 of the Budget Act of 2009, to read:

3340-490—Reappropriation, California Conservation Corps. The balances of the appropriations provided for in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in those appropriations:
6051—Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006
(1) Item 3340-101-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for local assistance grants to local conservation corps

SEC. 166. Item 3340-491 is added to Section 2.00 of the Budget Act of 2009, to read:

3340-491—Reappropriation, California Conservation Corps. The balances of the appropriations provided for in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in the appropriations:
0660—Public Buildings Construction Fund

(1) Item 3340-301-0660, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(1) 20.10.170-Tahoe Base Center Relocation—Working drawings and construction

SEC. 167. Item 3360-001-0381 of Section 2.00 of the Budget Act of 2009 is amended to read:

3360-001-0381—For support of Energy Resources Conservation and Development Commission, for payment to Item 3360-001-0465, payable from the Public Interest Research, Development, and Demonstration Fund.....	73,549,000
	74,252,000

Provisions:

1. Notwithstanding subdivision (a) of Section 1.80, funds appropriated in this item shall be available for expenditure during the 2009–10 and 2010–11 fiscal years.
2. Notwithstanding Section 16304.1 of the Government Code, funds appropriated in this item shall be available for liquidation of encumbrances until June 30, 2015.
3. Notwithstanding any other provision of law other than the provisions of this item, funds appropriated in this item may be used by the State Energy Resources Conservation and Development Commission to provide grants, loans, or repayable research contracts. The commission may use a high-point scoring method in lieu of lowest cost when evaluating proposals. The commission shall determine repayment terms.

SEC. 168. Item 3360-001-0465 of Section 2.00 of the Budget Act of 2009 is amended to read:

3360-001-0465—For support of Energy Resources Conservation and Development Commission, payable from the Energy Resources Programs Account.....	64,184,000
Schedule:	
(1) 10-Regulatory and Planning.....	32,444,000
(2) 20-Energy Resources Conservation.....	26,200,000
	188,847,000

1	(3) 30-Development.....	244,435,000
2		245,138,000
3	(4) 40.01-Policy, Management, and Admin-	
4	istration.....	21,582,000
5		22,550,986
6	(5) 40.02-Distributed Policy, Management,	
7	and Administration.....	-21,582,000
8		-22,550,986
9	(6) Reimbursements.....	-5,820,000
10	(7) Amount payable from the Motor Vehicle	
11	Account, State Transportation Fund	
12	(Item 3360-001-0044).....	-139,000
13	(8) Amount payable from the Public Inter-	
14	est Research, Development, and	
15	Demonstration Fund (Item 3360-001-	
16	0381).....	-73,549,000
17		-74,252,000
18	(9) Amount payable from the Renewable	
19	Resource Trust Fund (Item 3360-001-	
20	0382).....	-8,274,000
21	(10) Amount payable from the Energy	
22	Technologies Research Development	
23	and Demonstration Account (Item	
24	3360-001-0479).....	-2,412,000
25	(11) Amount payable from the Local Govern-	
26	ment Geothermal Resources Revolving	
27	Subaccount, Geothermal Resources	
28	Development Account (Item 3360-001-	
29	0497).....	-305,000
30	(12) Amount payable from the Federal	
31	Trust Fund (Item 3360-001-0890)....	-19,628,000
32		-182,275,000
33	(13) Amount payable from the Energy Faci-	
34	lity License and Compliance Fund (Item	
35	3360-001-3062).....	-2,510,000
36	(14) Amount payable from Natural Gas	
37	Subaccount, Public Interest Research,	
38	Development, and Demonstration	
39	Fund (Item 3360-001-3109).....	-24,000,000

(15) Amount payable from Alternative
and Renewable Fuel and Vehicle
Technology Fund (Item 3360-001-
3117)..... -102,258,000

Provisions:

1. Notwithstanding Section 16304.1 of the Government
Code, funds appropriated in this item for the Energy
Technology Export Program shall be available for
liquidation of encumbrances until June 30, 2013.

*SEC. 169. Item 3360-001-0890 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3360-001-0890—For support of Energy Resources Conservation
and Development Commission, for payment to Item 3360-
001-0465, payable from the Federal Trust Fund..... ~~19,628,000~~
182,275,000

*SEC. 170. Item 3360-001-3117 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3360-001-3117—For support of Energy Resources Conservation
and Development Commission, for payment to Item 3360-
001-0465, payable from the Alternative and Renewable
Fuel and Vehicle Technology Fund..... 102,258,000

Provisions:

1. Notwithstanding subdivision (a) of Section 1.80, funds
appropriated in this item shall be available for expen-
diture during the 2009–10 and 2010–11 fiscal years.
2. *The State Energy Resources Conservation and Devel-
opment Commission shall not make any expenditures
from this appropriation for hydrogen refueling stations
in the 2009–10 fiscal year.*

*SEC. 171. Item 3480-001-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3480-001-0001—For support of Department of Conservation.... ~~4,838,000~~
14,838,000

1	Schedule:	
2	(1) 10-Geologic Hazards and Mineral Re-	
3	sources Conservation.....	25,494,000
4	(2) 20-Oil, Gas, and Geothermal Re-	
5	sources.....	25,530,000
6		35,569,000
7	(3) 30-Land Resource Protection.....	6,745,000
8		5,863,000
9	(4) 40.01-Administration.....	13,771,000
10		13,903,000
11	(5) 40.02-Distributed Administration.....	-13,771,000
12		-13,903,000
13	(6) 50-Beverage Container Recycling and	
14	Litter Reduction Program.....	51,066,000
15		51,146,000
16	(7) 60-Office of Mine Reclamation.....	6,782,000
17		6,795,000
18	(8) Reimbursements.....	-9,417,000
19	(10) Amount payable from the Surface	
20	Mining and Reclamation Account (Item	
21	3480-001-0035).....	-2,118,000
22	(11) Amount payable from the State High-	
23	way Account, State Transportation	
24	Fund (Item 3480-001-0042).....	-12,000
25	(12) Amount payable from the California	
26	Beverage Container Recycling Fund	
27	(Item 3480-001-0133).....	-50,966,000
28		-51,046,000
29	(13) Amount payable from the Soil Conser-	
30	vation Fund (Item 3480-001-0141).....	-3,918,000
31		-2,536,000
32	(14) Amount payable from the Hazardous	
33	and Idle-Deserted Well Abatement	
34	Fund (Section 3206 of the Public Re-	
35	sources Code).....	-100,000
36	(15) Amount payable from the Mine Recla-	
37	mation Account (Item 3480-001-	
38	0336).....	-3,937,000
39		-3,950,000

1	(16) Amount payable from the Strong Mo-	
2	tion Instrumentation and Seismic	
3	Hazards Mapping Fund (Item 3480-	
4	001-0338).....	-10,104,000
5	(16.5) Amount payable from the California	
6	Farmland Conservancy Program	
7	Fund (Item 3480-001-0867).....	-500,000
8	(17) Amount payable from the Federal Trust	
9	Fund (Item 3480-001-0890).....	-1,394,000
10	(18) Amount payable from the Bosco Keene	
11	Renewable Resources Investment Fund	
12	(Item 3480-001-0940).....	-1,235,000
13	(18.5) Amount payable from the Acute Or-	
14	phan Well Account, Oil, Gas, and	
15	Geothermal Administrative Fund	
16	(Item 3480-001-3102).....	-978,000
17	(19) Amount payable from the Abandoned	
18	Mine Reclamation and Minerals Fund	
19	Subaccount, Mine Reclamation Account	
20	(Item 3480-001-3025).....	-549,000
21	(20) Amount payable from the Oil, Gas,	
22	and Geothermal Administrative Fund	
23	(Item 3480-001-3046).....	-23,324,000
24		-23,363,000
25	(21) Amount payable from the Agriculture	
26	and Open Space Mapping Subaccount	
27	(Item 3480-001-6004).....	-435,000
28	(22) Amount payable from the California	
29	Clean Water, Clean Air, Safe Neighbor-	
30	hood Parks, and Coastal Protection	
31	Fund of 2002 (Item 3480-001-6029)....	-550,000
32	(23) Amount payable from the Water Secu-	
33	rity, Clean Drinking Water, Coastal and	
34	Beach Protection Fund of 2002 (Item	
35	3480-001-6031).....	-1,477,000
36	(24) Amount payable from the Safe Drinking	
37	Water, Water Quality and Supply,	
38	Flood Control, River and Coastal Pro-	
39	tection Fund of 2006 (Item 3480-001-	
40	6051).....	-265,000

Provisions:

1. Notwithstanding any other provision of law, upon approval and order of the Department of Finance, the Department of Conservation may borrow sufficient funds, from special funds that otherwise provide support for the department, to meet cashflow needs due to delays in collecting reimbursements. Any loan made by the Department of Finance pursuant to this provision may be made only if the Department of Conservation has a valid contract or certification signed by the client agency, which demonstrates that sufficient funds will be available to repay the loan. All moneys so transferred shall be repaid to the special fund as soon as possible, but not later than one year from the date of the loan.

SEC. 172. Item 3480-001-0133 of Section 2.00 of the Budget Act of 2009 is amended to read:

3480-001-0133—For support of Department of Conservation,	
for payment to Item 3480-001-0001, payable from the	
California Beverage Container Recycling Fund.....	50,966,000
	51,046,000

SEC. 173. Item 3480-001-0141 of Section 2.00 of the Budget Act of 2009 is amended to read:

3480-001-0141—For support of Department of Conservation,	
for payment to Item 3480-001-0001, payable from the Soil	
Conservation Fund.....	3,918,000
	2,536,000

Provisions:

1. Of the funds appropriated in this item, \$910,000 is available for the Department of Conservation to provide technical assistance to local jurisdictions that have a history of noncompliance with Williamson Act policy development, assist compliance with state law and contract terms as they relate to state law, and provide procedural guidance programs, in order to maintain consistent Williamson Act implementation statewide.

SEC. 174. Item 3480-001-0336 of Section 2.00 of the Budget Act of 2009 is amended to read:

3480-001-0336—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Mine Reclamation Account.....	3,937,000 3,950,000
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SEC. 175. Item 3480-001-0867 is added to Section 2.00 of the Budget Act of 2009, to read:

3480-001-0867—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the California Farmland Conservancy Program Fund	500,000
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SEC. 176. Item 3480-001-3046 of Section 2.00 of the Budget Act of 2009 is amended to read:

3480-001-3046—For support of Department of Conservation, for payment to Item 3480-001-0001, payable from the Oil, Gas, and Geothermal Administrative Fund.....	23,324,000 23,363,000
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SEC. 177. Item 3480-101-0005 of Section 2.00 of the Budget Act of 2009 is amended to read:

3480-101-0005—For local assistance, Department of Conservation, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund.....	2,500,000 2,489,000
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Provisions:

1. The fund appropriated in this item shall be available for expenditure until June 30, 2012.

SEC. 178. Item 3480-101-0867 of Section 2.00 of the Budget Act of 2009 is repealed.

~~3480-101-0867—For local assistance, Department of Conserva-~~
~~tion, payable from the California Farmland Conservancy~~
~~Program Fund..... 1,000,000~~
 Provisions:
~~1. The fund appropriated in this item shall be available~~
~~for expenditure until June 30, 2012.~~

SEC. 179. Item 3540-001-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:

3540-001-0001—For support of Department of Forestry and
 Fire Protection..... ~~564,829,000~~
~~412,921,000~~
 Schedule:
 (1) 10-Office of the State Fire Marshal..... ~~20,828,000~~
~~21,113,000~~
 (2) 11-Fire Protection..... ~~1,005,433,000~~
~~997,700,000~~
 (3) 12-Resource Management..... ~~54,716,000~~
~~57,969,000~~
 (4) 13-Board of Forestry and Fire Protec-
 tion..... ~~449,000~~
 (5) 20.01-Administration..... ~~79,115,000~~
~~84,115,000~~
 (6) 20.02-Distributed Administration..... ~~-78,473,000~~
~~-83,473,000~~
 (7) Reimbursements..... ~~-260,673,000~~
~~-288,246,000~~
 (8) Less funding provided by capital out-
 lay..... ~~-24,774,000~~
 (9) Amount payable from the General
 Fund (Item 3540-006-0001)..... ~~-189,000,000~~
 (10) Amount payable from the State Emer-
 gency Telephone Number Account
 (Item 3540-001-0022)..... ~~-3,341,000~~
 (11) Amount payable from the Unified Pro-
 gram Account (Item 3540-001-0028).... ~~-345,000~~
 (12) Amount payable from the State Fire
 Marshal Licensing and Certification
 Fund (Item 3540-001-0102)..... ~~-2,746,000~~

1	(13) Amount payable from the California	
2	Environmental License Plate Fund	
3	(Item 3540-001-0140).....	-452,000
4		-497,000
5	(14) Amount payable from the California	
6	Fire and Arson Training Fund (Item	
7	3540-001-0198).....	-2,697,000
8	(15) Amount payable from the Hazardous	
9	Liquid Pipeline Safety Fund (Item	
10	3540-001-0209).....	-3,180,000
11	(16) Amount payable from the Public Re-	
12	sources Account, Cigarette and Tobacco	
13	Products Surtax Fund (Item 3540-001-	
14	0235).....	-413,000
15		-360,000
16	(17) Amount payable from the Professional	
17	Forester Registration Fund (Item 3540-	
18	001-0300).....	-216,000
19	(18) Amount payable from the Federal	
20	Trust Fund (Item 3540-001-0890).....	-18,390,000
21		-21,651,000
22	(19) Amount payable from the Forest Re-	
23	sources Improvement Fund (Item 3540-	
24	001-0928).....	-7,874,000
25	(20) Amount payable from the Timber Tax	
26	Fund (Item 3540-001-0965).....	-34,000
27	(21) Amount payable from the Emergency	
28	Response Fund (Item 3540-001-	
29	1014).....	-76,000,000
30	(21.2) Amount payable from the State Re-	
31	sponsibility Area Fire Protection	
32	Fund (Item 3540-001-3063).....	-37,840,000
33	(21.4) Amount payable from the Alternative	
34	and Renewable Fuel and Vehicle	
35	Technology Fund (Item 3540-001-	
36	3117).....	-2,762,000

1	(21.5) Amount payable from the State Fire	
2	Marshal Fireworks Enforcement and	
3	Disposal Fund (Item 3540-001-	
4	3120).....	-15,000
5		-300,000
6	(23) Amount payable from the California	
7	Clean Water, Clean Air, Safe Neighbor-	
8	hood Parks, and Coastal Protection	
9	Fund (Item 3540-001-6029).....	-1,253,000
10	(24) Amount payable from the Water Secu-	
11	rity, Clean Drinking Water, Coastal and	
12	Beach Protection Fund of 2002 (Item	
13	3540-001-6031).....	-355,000
14	(25) Amount payable from the Safe Drinking	
15	Water, Water Quality and Supply,	
16	Flood Control, River and Coastal Pro-	
17	tection Fund of 2006 (Item 3540-001-	
18	6051).....	-1,481,000
19	Provisions:	
20	1. Notwithstanding any other provision of law, the De-	
21	partment of Finance may authorize the temporary or	
22	permanent redirection of funds from this item for	
23	purposes of emergency fire suppression and detection	
24	costs and related emergency refutation costs.	
25	2. Notwithstanding any other provision of law, the Direc-	
26	tor of Finance may authorize a loan from the General	
27	Fund, in an amount not to exceed 35 percent of reim-	
28	bursments appropriated in this item, to the Depart-	
29	ment of Forestry and Fire Protection, provided that:	
30	(a) The loan is to meet cash needs resulting from the	
31	delay in receipt of reimbursements for services	
32	provided.	
33	(b) The loan is for a short term and shall be repaid	
34	by September 30 of the fiscal year following that	
35	in which the loan was authorized.	
36	(c) Interest charges may be waived pursuant to subdivi-	
37	sion (e) of Section 16314 of the Government	
38	Code.	
39	(d) The Director of Finance may not approve the loan	
40	unless the approval is made in writing and filed	

with the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees in each house of the Legislature that consider appropriations not later than 30 days prior to the effective date of the approval, or not sooner than whatever lesser time that the chairperson of the joint committee, or his or her designee, may determine.

3. The Director of Finance may adjust amounts in ~~Program 11 of this item~~ *Schedule (2)* to provide equivalent Fire Protection base funding changes to Contract Counties in accordance with ~~Public Resources Code~~ Section 4130 of the *Public Resources Code*.

SEC. 180. Item 3540-001-0140 of Section 2.00 of the Budget Act of 2009 is amended to read:

3540-001-0140—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the California Environmental License Plate Fund.....	452,000
	497,000

SEC. 181. Item 3540-001-0235 of Section 2.00 of the Budget Act of 2009 is amended to read:

3540-001-0235—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund.....	413,000
	360,000

SEC. 182. Item 3540-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

3540-001-0890—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Federal Trust Fund.....	18,390,000
	21,651,000

3540-001-1014—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Emergency Response Fund.....	76,000,000
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3540-001-3063—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the State Responsibility Area Fire Protection Fund.....	37,840,000
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3540-001-3117—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the Alternative and Renewable Fuel and Vehicle Technology Fund.....	2,762,000
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1. *Notwithstanding any other provision of law, the Department of Forestry and Fire Protection may use moneys in the Alternative and Renewable Fuel and Vehicle Technology Fund to comply with regulations of the State Air Resources Board.*

3540-001-3120—For support of Department of Forestry and Fire Protection, for payment to Item 3540-001-0001, payable from the State Fire Marshal Fireworks Enforcement and Disposal Fund.....	15,000
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98

1	3540-301-0660—For capital outlay, Department of Forestry	
2	and Fire Protection, payable from the Public Buildings	
3	Construction Fund.....	290,344,000
4	Schedule:	
5	(1) 30.10.215-Parlin Fork Conservation	
6	Camp: Replace Facility—Preliminary	
7	plans, working drawings, and construc-	
8	tion.....	53,544,000
9	(2) 30.10.245-Soquel Fire Station: Replace	
10	Facility—Preliminary plans, working	
11	drawings, and construction.....	10,599,000
12	(3) 30.10.250-Felton Fire Station/Unit	
13	Headquarters: Replace Facility—Pre-	
14	liminary plans, working drawings, and	
15	construction.....	25,100,000
16	(4) 30.20.050-El Dorado Fire Station, Ser-	
17	vice Warehouse: Replace Facility—	
18	Preliminary plans, working drawings,	
19	and construction.....	26,375,000
20	(5) 30.20.120-Butte Unit Fire Station/Unit	
21	Headquarters: Replace Facility—Pre-	
22	liminary plans, working drawings, and	
23	construction.....	30,692,000
24	(6) 30.30.025-Potrero Fire Station: Replace	
25	Facility—Preliminary plans, working	
26	drawings, and construction.....	10,389,000
27	(7) 30.30.090-Cuesta Conservation	
28	Camp/San Luis Obispo Unit Auto Shop:	
29	Relocate Facilities—Preliminary plans,	
30	working drawings, and construction.....	70,238,000
31	(8) 30.30.095-Cayucos Fire Station: Re-	
32	place Facility—Preliminary plans,	
33	working drawings, and construction.....	9,678,000
34	(9) 30.40.165-Tuolumne-Calaveras Service	
35	Center, Administrative, Emergency	
36	Command Center: Relocate Facility—	
37	Preliminary plans, working drawings,	
38	and construction.....	24,655,000

- 1 (10) 30.40.175-Parkfield Fire Station: Re-
 2 place Facility—Preliminary plans,
 3 working drawings, and construction.... 7,209,000
 4 (11) 30.40.240-Gabilan Conservation Camp:
 5 Replace Base Officers' Quarters, Relo-
 6 cate Auto Shop, Service Center—Prelim-
 7 inary plans, working drawings, and
 8 construction..... 21,865,000

9 Provisions:

- 10 1. The State Public Works Board may issue lease-revenue
 11 bonds, notes, or bond anticipation notes pursuant to
 12 Chapter 5 (commencing with Section 15830) of Part
 13 10b of Division 3 of Title 2 of the Government Code
 14 to finance the acquisition, design, and construction of
 15 the projects authorized by this item.
 16 2. Notwithstanding any other provision of law, the funds
 17 appropriated in this item shall be available for expen-
 18 diture during the 2009–10 fiscal year, except appro-
 19 priations for preliminary plans and working drawings,
 20 which shall be available for expenditure until June
 21 30, 2011, and appropriations for construction, which
 22 shall be available for expenditure until June 30, 2014.
 23 In addition, the balance of funds appropriated for
 24 construction that has not been allocated, through fund
 25 transfer or approval to bid, by the Department of Fi-
 26 nance on or before June 30, 2012, shall revert as of
 27 that date to the fund from which the appropriation was
 28 made.
 29 3. The Department of Forestry and Fire Protection and
 30 the State Public Works Board are authorized and di-
 31 rected to execute and deliver any and all leases, con-
 32 tracts, agreements, or other documents necessary or
 33 advisable to consummate the sale of bonds or other-
 34 wise effectuate the financing of the scheduled projects.
 35 4. The State Public Works Board shall not be deemed a
 36 lead or responsible agency for purposes of the Califor-
 37 nia Environmental Quality Act (Division 13 (commenc-
 38 ing with Section 21000) of the Public Resources Code)
 39 for any activities under the State Building Construction
 40 Act of 1955 (Part 10b (commencing with Section

15800) of Division 3 of Title 2 of the Government Code). This section does not exempt the Department of Forestry and Fire Protection from the requirements of the California Environmental Quality Act. This section is intended to be declarative of existing law.

5. The funds appropriated in Schedules (2), (6), (8), and (10) include funding for construction and preconstruction activities, including, but not limited to, study, environmental documents, preliminary plans, working drawings, equipment, and other costs relating to the design and construction of forest fire station facilities, that may be performed by the Department of Forestry and Fire Protection. Not less than 20 days after providing notice to the Joint Legislative Budget Committee, the Department of Finance may modify which projects may be managed by the Department of Forestry and Fire Protection, provided that those projects are limited to the design and construction of fire station facilities or facilities with substantially similar components, which can be managed by existing capital outlay staff. While the Department of Forestry and Fire Protection may manage these projects, the projects are subject to review by the State Public Works Board and require authorization to proceed to bid from the Department of Finance.

SEC. 188. Item 3540-490 is added to Section 2.00 of the Budget Act of 2009, to read:

3540-490—Reappropriation, extension of liquidation period, Department of Forestry and Fire Protection. Notwithstanding any other provision of law, funds appropriated in the following citations shall be available for liquidation of encumbrances until June 30, 2010:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

(1) Item 3540-101-0005, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

6029—California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund

(1) *Item 3540-001-6029, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)*

(2) *Item 3540-101-6029, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)*

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) *Item 3540-001-6031, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)*

SEC. 189. Item 3540-493 is added to Section 2.00 of the Budget Act of 2009, to read:

3540-493—Reappropriation, Department of Forestry and Fire Protection. The balances of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in the appropriation:

0660—Public Buildings Construction Fund

(1) *Item 3540-301-0660, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3540-492, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

(4) *30.30.165-Cuyamaca Forest Fire Station: Relocate Facility—Construction*

(2) *Item 3540-301-0660, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 3540-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 3540-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

(0.5) *30.10.005-Alma Helitack Base: Replace Facility—Working drawings and construction*

(3.25) *30.30.020-San Luis Obispo Ranger Unit Headquarters: Replace Facility—Construction*

(3.45) *30.30.115-Ventura Youth Conservation Camp: Construct Apparatus Buildings, Shop, and Warehouse—Working drawings and construction*

(3.9) *30.40.145-Bautista Conservation Camp: Replace Modular Buildings—Working Drawings and construction*

- (4) 30.60.045-Statewide: Construct Forest Fire Stations—Working drawings and construction
- (3) Item 3540-301-0660, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 3540-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
 - (.1) 30.10.005-Alma Helitack Base: Replace Facility—Preliminary plans, working drawings, and construction
 - (1) 30.10.265-North Region Forest Fire Station Facilities—Working drawings and construction
 - (2) 30.20.135-Intermountain Conservation Camp: Replace Facility—Preliminary plans, working drawings, and construction
 - (2.1) 30.30.020-San Luis Obispo Ranger Unit Headquarters: Replace Facility—Working drawings and construction
 - (2.3) 30.30.075-Warner Springs Forest Fire Station: Replace Facility—Construction
 - (2.4) 30.30.115-Ventura Youth Conservation Camp: Construct Apparatus Building, Shop, and Warehouse—Construction
 - (3) 30.30.160-South Operations Area Headquarters: Relocate Facility—Acquisition, working drawings, and construction
 - (3.5) 30.30.165-Cuyamaca Forest Fire Station: Relocate Facility—Construction
 - (4) 30.30.195-Miramonte Conservation Camp: Replace Facility—Working drawings and construction
 - (5) 30.40.030-Academy: Construct Dormitory Building and Expand Mess hall—Preliminary plans, working drawings, and construction
 - (5.4) 30.40.145-Bautista Conservation Camp: Replace Modular Buildings—Construction
 - (6) 30.40.170-Badger Forest Fire Station: Replace Facility—Preliminary plans, working drawings, and construction
- (4) Item 3540-301-0660, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 3540-

- 1 491, Budget Act of 2008 (Chs. 268 and 269, Stats.
2 2008)
- 3 (1) 30.10.195-Las Posadas Forest Fire Station: Re-
4 place Facility—Preliminary plans, working
5 drawings, and construction
- 6 (2) 30.20.001-Fawn Lodge Forest Fire Station: Re-
7 place Facility and Install New Well—Preliminary
8 plans, working drawings, and construction
- 9 (3) 30.20.006-Red Bluff Forest Fire Station / Unit
10 Headquarters: Replace Forest Fire Station and
11 Various Unit Headquarters Buildings—Prelimi-
12 nary plans, working drawings, and construction
- 13 (4) 30.20.008-Westwood Forest Fire Station: Replace
14 Facility—Preliminary plans, working drawings,
15 and construction
- 16 (5) 30.30.200-Paso Robles Forest Fire Station: Re-
17 place Facility—Preliminary plans, working
18 drawings, and construction
- 19 (6) 30.20.230-Bieber Forest Fire Station / Helitack
20 Base: Relocate Facility—Acquisition, preliminary
21 plans, working drawings, and construction (ap-
22 pears duplicative of below)
- 23 (7) 30.20.245-Ishi Conservation Camp: Replace Fa-
24 cility—Preliminary plans, working drawings, and
25 construction
- 26 (7.6) 30.30.115-Ventura Youth Conservation Camp:
27 Construct Vehicle Apparatus Building, Shop,
28 Warehouse—Working drawings and construction
- 29 (7.7) 30.30.160-South Operations Area Headquarters:
30 Relocate Facility—Acquisition, working draw-
31 ings, and construction
- 32 (8) 30.40.007-Growlersburg Conservation Camp:
33 Replace Facility—Preliminary plans, working
34 drawings, construction
- 35 (10) 30.40.145-Bautista Conservation Camp: Replace
36 Modular Buildings—Construction
- 37 (5) Item 3540-301-0660, Budget Act of 2008 (Chs. 268
38 and 269, Stats. 2008)

- (1) 30.10.170-Santa Clara Unit Headquarters: Replace Facility—Preliminary plans, working drawings, and construction
- (2) 30.10.210-San Mateo/Santa Cruz Unit Headquarters: Relocate Automotive Shop—Preliminary plans, working drawings, and construction
- (2.5) 30.10.265-North Region Forest Fire Station Facilities—Construction
- (3) 30.20.007-Vina Helitack Base: Replace Facility—Preliminary plans, working drawings, and construction
- (4) 30.20.015-Garden Valley Forest Fire Station: Replace Facility—Preliminary plans, working drawings, and construction
- (4.5) 30.20.135-Intermountain Conservation Camp: Replace Facility—Preliminary plans, working drawings, and construction
- (5) 30.20.205-Higgins Corner Forest Fire Station: Replace Facility—Acquisition, preliminary plans, working drawings, and construction
- (6) 30.20.240-Siskiyou Unit Headquarters: Replace Facility—Preliminary plans, working drawings, and construction
- (8) 30.30.160-South Operations Area Headquarters: Relocate Facility—Acquisition, working drawings, and construction
- (9) 30.30.195-Miramonte Conservation Camp: Replace Facility—Construction
- (10) 30.40.185-Madera-Mariposa-Merced Unit Headquarters: Replace Facility—Preliminary plans, working drawings, and construction
- (11) 30.40.225-Altaville Forest Fire Station: Replace Automotive Shop—Working drawings and construction

Provisions:

1. Notwithstanding Section 1.80, the funds reappropriated in this item shall be available for expenditure during the 2009–10 and 2010–11 fiscal years, except appropriations for acquisitions which shall be available for expenditure until June 30, 2012, and appro-

priations for construction which shall be available for expenditure until June 30, 2014. In addition, the balance of funds appropriated for construction that have not been allocated, through fund transfer or approval to bid, by the Department of Finance on or before June 30, 2012, shall revert as of that date to the fund from which the appropriation was made.

SEC. 190. Item 3600-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

3600-001-0001—For support of Department of Fish and Game.....	74,831,000
	40,431,000
Schedule:	
(1) 20-Biodiversity Conservation Program.....	162,715,000
	146,170,000
(2) 25-Hunting, Fishing, and Public Use....	73,124,000
	76,597,000
(3) 30-Management of Department Lands and Facilities.....	51,119,000
	59,664,000
(4) 40-Enforcement.....	68,096,000
	67,119,000
(4.5) 45-Communication, Education, and Outreach.....	4,771,000
	4,630,000
(5) 50-Spill Prevention and Response.....	33,584,000
	36,276,000
(5.5) 61-Fish and Game Commission.....	1,380,000
(6) 70.01-Administration.....	43,606,000
	44,713,000
(7) 70.02-Distributed Administration.....	—43,606,000
	—44,713,000
(8) Reimbursements.....	—44,290,000
	—57,286,000

1	(9) Amount payable from the Safe Neigh-	
2	borhood Parks, Clean Water, Clean Air,	
3	and Coastal Protection Bond Fund (Item	
4	3600-001-0005).....	-1,042,000
5		-500,000
6	(10) Amount payable from the California	
7	Environmental License Plate Fund	
8	(Item 3600-001-0140).....	-14,747,000
9	(11) Amount payable from the Fish and	
10	Game Preservation Fund (Item 3600-	
11	001-0200).....	-98,880,000
12		-129,621,000
13	(12) Amount payable from the Fish and	
14	Wildlife Pollution Account (Item 3600-	
15	001-0207).....	-2,732,000
16	(13) Amount payable from the California	
17	Waterfowl Habitat Preservation Ac-	
18	count, Fish and Game Preservation	
19	Fund (Item 3600-001-0211).....	-241,000
20	(14) Amount payable from the Marine Inva-	
21	sive Species Control Fund (Item 3600-	
22	001-0212).....	-1,322,000
23	(15) Amount payable from the Public Re-	
24	sources Account, Cigarette and Tobacco	
25	Products Surtax Fund (Item 3600-001-	
26	0235).....	-2,467,000
27		-2,105,000
28	(16) Amount payable from the Oil Spill	
29	Prevention and Administration Fund	
30	(Item 3600-001-0320).....	-24,675,000
31		-25,555,000
32	(17) Amount payable from the Environmen-	
33	tal Enhancement Fund (Item 3600-001-	
34	0322).....	-348,000
35	(18) Amount payable from the Central Val-	
36	ley Project Improvement Subaccount	
37	(Item 3600-001-0404).....	-58,000
38		0

1	(18.5) Amount payable from the Harbors	
2	and Watercraft Revolving Fund (Item	
3	3600-001-0516).....	-2,176,000
4	(19) Amount payable from the Federal	
5	Trust Fund (Item 3600-001-0890).....	-52,718,000
6	(20) Amount payable from the Special De-	
7	posit Fund (Item 3600-001-0942).....	-1,604,000
8	(21) Amount payable from the Hatchery	
9	and Inland Fisheries Fund (Item 3600-	
10	001-3103).....	-20,586,000
11	(21.5) <i>Amount payable from the Alternative</i>	
12	<i>and Renewable Fuel and Vehicle</i>	
13	<i>Technology Fund (Item 3600-001-</i>	
14	<i>3117).....</i>	<i>-900,000</i>
15	(24) Amount payable from the Interim Water	
16	Supply and Water Quality Infrastructure	
17	and Management Subaccount (Item	
18	3600-001-6027).....	-2,193,000
19	(26) Amount payable from the Safe Drink-	
20	ing Water, Water Quality and Supply,	
21	Flood Control, River and Coastal Pro-	
22	tection Fund of 2006 (Item 3600-001-	
23	6051).....	-41,561,000
24		-28,453,000
25	(27) Amount payable from the Salton Sea	
26	Restoration Fund (Item 3600-001-	
27	8018).....	-8,179,000
28	(28) Amount payable from the California	
29	Sea Otter Fund (Item 3600-001-	
30	8047).....	-139,000
31	Provisions:	
32	1. The funds appropriated in this item may be increased	
33	with the approval of, and under the conditions set by,	
34	the Department of Finance to meet current obligations	
35	proposed to be funded in Schedules (8) and (19). The	
36	funds appropriated in this item shall not be increased	
37	until the Department of Fish and Game has a valid	
38	contract, signed by the client agency, that provides	
39	sufficient funds to finance the increased authorization.	

This increased authorization may not be used to expand services or create new obligations.

Reimbursements received under Schedules (8) and (19) shall be used in repayment of any funds used to meet current obligations pursuant to this provision.

2. The funds appropriated in this item for purposes of subdivision (n) of Section 75050 of the Public Resources Code shall continue only so long as the United States Bureau of Reclamation continues to provide federal funds and continues to carry out federal actions to implement the settlement agreement in *Natural Resources Defense Council v. Rodgers* (2005) 381 F.Supp.2d 1212.

3. Of the funds appropriated in this item, \$1,000,000 shall be used for implementation of Chapter 685 of the Statutes of 2005.

SEC. 191. Item 3600-001-0005 of Section 2.00 of the Budget Act of 2009 is amended to read:

3600-001-0005—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund.....	1,042,000 500,000
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SEC. 192. Item 3600-001-0200 of Section 2.00 of the Budget Act of 2009 is amended to read:

3600-001-0200—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Fish and Game Preservation Fund.....	98,880,000 129,621,000
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Provisions:

1. *The Department of Fish and Game shall notify the Joint Legislative Budget Committee and the fiscal and appropriate policy committees of each house of the Legislature if the use of the funds appropriated in this item results in the loss of federal funds.*

3600-001-0235—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Public Resources Account, Cigarette and Tobacco Products Surtax Fund.....	2,467,000 2,105,000
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3600-001-0320—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Oil Spill Prevention and Administration Fund.....	24,675,000
	25,555,000

3600-001-0404	For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Central Valley Project Improvement Subaccount.....	58,000
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3600-001-3117—For support of Department of Fish and Game, for payment to Item 3600-001-0001, payable from the Al- ternative and Renewable Fuel and Vehicle Technology Fund.....	900,000
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SEC. 197. Item 3600-001-6051 of Section 2.00 of the Budget Act of 2009 is amended to read:

3600-001-6051—For support of Department of Fish and Game,
for payment to Item 3600-001-0001, payable from the
Safe Drinking Water, Water Quality and Supply, Flood
Control, River and Coastal Protection Fund of 2006..... ~~41,561,000~~
28,453,000

Provisions:

1. *The additional sum of \$22,022,000 is hereby appropriated from subdivision (a) of Section 75050 of the Public Resources Code for the Ecosystem Restoration Program upon the signing into law of a new Bay-Delta governance structure.*
2. *Of the funds appropriated in this item, a minimum of \$8,914,000 shall be used for development of the Bay-Delta Conservation Plan.*

SEC. 198. Item 3600-101-0320 of Section 2.00 of the Budget Act of 2009 is amended to read:

3600-101-0320—For local assistance, Department of Fish and
Game, Program 50-Spill Prevention and Response, payable
from the Oil Spill Prevention and Administration Fund.... ~~2,221,000~~
1,341,000

SEC. 199. Item 3600-101-0516 is added to Section 2.00 of the Budget Act of 2009, to read:

3600-101-0516—For local assistance, Department of Fish and
Game, payable from the Harbors and Watercraft Revolving
Fund..... 250,000

Provisions:

1. *Notwithstanding any other provision of law, the amount appropriated in this item shall be used by the San Francisco Bay area multicounty response effort for a regional inspection pilot program to identify and control quagga mussel infestations.*

SEC. 200. Item 3600-497 is added to Section 2.00 of the Budget Act of 2009, to read:

3600-497—*Reversion, Department of Fish and Game. As of June 30, 2009, the balances specified below of the appropriations provided in the following citations shall revert to the funds from which the appropriations were made:*

6031—*Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002*

(1) *Item 3600-001-6031, Budget Act of 2007*
(Chs. 171 and 172, Stats. 2007)..... 2,773,000

(2) *Item 3600-001-6031, Budget Act of 2008*
(Chs. 268 and 269, Stats. 2008)..... 7,227,000

SEC. 201. *Item 3640-491 is added to Section 2.00 of the Budget Act of 2009, to read:*

3640-491—*Reappropriation, Wildlife Conservation Board. The balances of the appropriations provided in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure as specified below:*

0262—*Habitat Conservation Fund*

(1) *Item 3640-301-0262, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)*

(1) *80.10-Wildlife Conservation Board Projects*
(Unscheduled) until June 30, 2012

0447—*Wildlife Restoration Fund*

(1) *Item 3640-301-0447, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

(1) *80.10.010-Minor Projects until June 30, 2010*

6031—*Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002*

(1) *Item 3640-311-6031, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), until June 30, 2012*

SEC. 202. *Item 3640-492 is added to Section 2.00 of the Budget Act of 2009, to read:*

3640-492—*Reappropriation, Wildlife Conservation Board. Notwithstanding any other provision of law, the period to liquidate encumbrances in the following citations is extended until June 30, 2011:*

3680-101-0516—For local assistance, Department of Boating and Waterways, payable from the Harbors and Watercraft Revolving Fund.....	30,600,000
Schedule:	
(1) 10-Boating Facilities.....	22,943,000
	24,193,000
(a) Launching Facility Grants.....	(3,727,000)
(1) Balls Ferry BLF.....	(631,000)
(2) Black Point BLF.....	(506,000)
(3) El Dorado Beach BLF.....	(420,000)
(4) Floating Restrooms.....	(500,000)
(5) Non-Motorized Boat Launching Facilities.....	(100,000)

1	(6) Ramp Repair & Modi-	
2	fication.....	(550,000)
3	(7) Signs.....	(20,000)
4	(8) Reimbursement	
5	Grants.....	(1,000,000)
6	(b) Public Small Craft Harbor	
7	Loans.....	(13,773,000)
8	(1) Coyote Point Mari-	
9	na.....	(1,966,000)
10	(2) Santa Barbara Har-	
11	bor.....	(4,812,000)
12	(3) San Francisco Mari-	
13	na—West Harbor.....	(6,995,000)
14	(c) Private Loans.....	(3,500,000)
15	(d) Clean Vessel Act Grant Program....	(843,000)
16	(e) Boating Trails.....	(1,000,000)
17	(f) Boating Infrastructure Grant Pro-	
18	gram.....	(100,000)
19		<i>1,350,000</i>
20	(2) 20-Boating Operations.....	13,600,000
21	(3) 30-Beach Erosion Control.....	8,350,000
22		<i>12,550,000</i>
23	(4) Reimbursements.....	-1,350,000
24	(5) Amount payable from the Abandoned	
25	Watercraft Abatement Fund (Item 3680-	
26	101-0577).....	-500,000
27	(6) Amount payable from the Federal Trust	
28	Fund (Item 3680-101-0890).....	-4,443,000
29		<i>-5,693,000</i>
30	(7) Amount payable from the Public Beach	
31	Restoration Fund (Item 3680-101-	
32	3001).....	-8,000,000
33		<i>-12,200,000</i>
34	Provisions:	
35	1. Of the funds appropriated in Schedule (2), Program	
36	20-Boating Operations, \$10,600,000 is for boating	
37	safety and enforcement programs pursuant to Section	
38	663.7 of the Harbors and Navigation Code.	
39		

SEC. 205. Item 3680-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

3680-101-0890—For local assistance, Department of Boating and Waterways, for payment to Item 3680-101-0516, payable from the Federal Trust Fund.....	4,443,000
	5,693,000

Provisions:

1. Of the amount appropriated in this item, \$2,500,000 shall be for grants to local governments for boating safety and law enforcement, 15 percent of which shall be allocated according to the department's Department of Boating and Waterways' discretion, and 85 percent of which shall be allocated by the department in accordance with the following priorities:

First—To local governments that are eligible for state aid because they are spending all their local boating revenue on boating enforcement and safety, but are not receiving sufficient state funds to meet their need as calculated pursuant to Section 663.7 of the Harbors and Navigation Code.

Second—To local governments that are not spending all local boating revenue on boating enforcement and safety, and whose boating revenue does not equal their calculated need. Local assistance shall not exceed the difference between the calculated need and local boating revenue.

Third—To local governments whose boating revenue exceeds their need, but who are not spending sufficient local revenue to meet their calculated need.

SEC. 206. Item 3680-101-3001 of Section 2.00 of the Budget Act of 2009 is amended to read:

3680-101-3001—For local assistance, Department of Boating and Waterways, for payment to Item 3680-101-0516, payable from the Public Beach Restoration Fund.....	8,000,000
	12,200,000

Provisions:

1. Notwithstanding any other provision of law, the funds appropriated in this item shall be available for expenditure until June 30, 2012.

SEC. 207. Item 3760-001-0140 of Section 2.00 of the Budget Act of 2009 is amended to read:

3760-001-0140—For support of State Coastal Conservancy, for payment to Item 3760-001-0565, payable from the California Environmental License Plate Fund.....	1,168,000
	1,425,000

SEC. 208. Item 3760-001-0565 of Section 2.00 of the Budget Act of 2009 is amended to read:

3760-001-0565—For support of State Coastal Conservancy, payable from the State Coastal Conservancy Fund.....	3,193,000
Schedule:	
(1) 15-Coastal Resource Development.....	4,505,000
(2) 25-Coastal Resource Enhancement.....	6,743,000
	7,000,000
(3) 90.01-Administration and Support.....	3,749,000
(4) 90.02-Distributed Administration.....	-3,749,000
(5) Reimbursements.....	-382,000
(6) Amount payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund (Item 3760-001-0005).....	-1,551,000
(7) Amount payable from the California Environmental License Plate Fund (Item 3760-001-0140).....	-1,168,000
	-1,425,000
(8) Amount payable from the Federal Trust Fund (Item 3760-001-0890).....	-135,000
(9) Amount payable from the San Francisco Bay Area Conservancy Program Account, State Coastal Conservancy Fund (Item 3760-001-0316).....	-470,000

1	(10) Amount payable from the California	
2	Clean Water, Clean Air, Safe Neighbor-	
3	hood Parks, and Coastal Protection	
4	Fund (Item 3760-001-6029).....	-2,068,000
5	(11) Amount payable from the Water Secu-	
6	rity, Clean Drinking Water, Coastal and	
7	Beach Protection Fund of 2002 (Item	
8	3760-001-6031).....	-736,000
9	(12) Amount payable from the Safe Drinking	
10	Water, Water Quality and Supply,	
11	Flood Control, River and Coastal Pro-	
12	tection Fund of 2006 (Item 3760-001-	
13	6051).....	-1,167,000
14	(13) Amount payable from California Ocean	
15	Protection Trust Fund (Item 3760-001-	
16	6076).....	-250,000
17	(14) Amount payable from the California	
18	Sea Otter Fund (Item 3760-001-	
19	8047).....	-128,000
20	Provisions:	
21	1. Notwithstanding any other provision of law, upon ap-	
22	proval and order of the Department of Finance, the	
23	State Coastal Conservancy may borrow sufficient	
24	funds from the State Coastal Conservancy Fund to	
25	meet cashflow needs due to delays in collecting reim-	
26	bursments. Any loan made by the Department of Fi-	
27	nance pursuant to this provision may be made only if	
28	the State Coastal Conservancy has a valid contract or	
29	certification signed by the agency providing the reim-	
30	bursments, which demonstrates that sufficient funds	
31	will be available to repay the loan. All moneys so	
32	transferred shall be repaid to the State Coastal Conser-	
33	vancy Fund as soon as possible, but not later than one	
34	year from the date of the loan.	
35	2. Of the funds appropriated by this act from the General	
36	Fund, special funds, or bond funds to the State Coastal	
37	Conservancy for local assistance or capital outlay,	
38	upon approval of the Department of Finance, the con-	
39	servancy may allocate an amount not to exceed 1.5	

percent of each project's allocation to provide for the department's costs to administer the projects.

SEC. 209. Item 3760-301-0262 of Section 2.00 of the Budget Act of 2009 is amended to read:

3760-301-0262—For capital outlay, State Coastal Conservancy, payable from the Habitat Conservation Fund..... 4,000,000
Schedule:

(1) 80.93.025-Coastal Resource Enhancement..... ~~4,000,000~~
6,000,000
(2) Reimbursements..... -2,000,000

Provisions:

1. (a) The State Coastal Conservancy shall not enter into a grant contract with a nonprofit organization or local government for property acquisition unless the grant contract provides a reversionary interest to the state that specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.
- (b) The State Coastal Conservancy shall not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for a state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy unless the Director of General Services approves the lease terms.
- (c) Except for the above, the expenditures of funds for grants to nonstate public agencies and nonprofit organizations shall be exempt from State Public Works Board review.
2. The funds appropriated in this item are available for encumbrance for either capital outlay or local assistance without regard to fiscal year.
3. Notwithstanding any other provision of law, upon approval and order of the Department of Finance, the State Coastal Conservancy may borrow sufficient

funds from the State Coastal Conservancy Fund to meet cashflow needs due to delays in collecting reimbursements. Any loan made by the Department of Finance pursuant to this provision may be made only if the State Coastal Conservancy has a valid contract or certification signed by the agency providing the reimbursements, which demonstrates that sufficient funds will be available to repay the loan. All moneys so transferred shall be repaid to the State Coastal Conservancy Fund as soon as possible, but not later than one year from the date of the loan.

4. Funds appropriated in this item are in lieu of the amount that otherwise would have been appropriated for the ~~department~~ *State Coastal Conservancy*, pursuant to *subdivision (b) of Section 2787(b)* 2787 of the Fish and Game Code.

SEC. 210. Item 3760-301-0371 of Section 2.00 of the Budget Act of 2009 is amended to read:

3760-301-0371—For capital outlay, State Coastal Conservancy,	
payable from the California Beach and Coastal Enhancement Account, California Environmental License Plate	
Fund.....	400,000
Schedule:	
(1) 80.00.020-Public Access.....	400,000
	1,400,000
(2) <i>Reimbursements</i>	-1,000,000
Provisions:	
1. (a) The State Coastal Conservancy may not enter into	
a grant contract with a nonprofit organization or	
local government for property acquisition unless	
the grant contract provides a reversionary interest	
to the state that specifies that the property shall	
not revert to the state without review and approval	
by the State Coastal Conservancy and the State	
Public Works Board.	
(b) The State Coastal Conservancy may not enter into	
a grant contract with a nonprofit organization or	
local government for property acquisition that	

provides for a state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy unless the Director of General Services approves the lease terms.

- (c) Except for the above, the expenditure of funds for grants to nonstate public agencies and nonprofit organizations is exempt from State Public Works Board review.

2. The funds appropriated in this item are available for encumbrance for either capital outlay or local assistance until June 30, 2012.

SEC. 211. Item 3760-301-0593 of Section 2.00 of the Budget Act of 2009 is amended to read:

3760-301-0593—For capital outlay, State Coastal Conservancy, payable from the Coastal Access Account, State Coastal Conservancy Fund..... 500,000

Schedule:

(1) 80.00.020-Public Access..... ~~500,000~~

1,500,000

(2) *Reimbursements*..... -1,000,000

Provisions:

1. (a) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition unless the grant contract provides a reversionary interest to the state that specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.

- (b) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for a state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy unless the Director of General Services approves the lease terms.

(c) Except for the above, the expenditure of funds for grants to nonstate public agencies and nonprofit organizations is exempt from State Public Works Board review.

2. The funds appropriated in this item are available for encumbrance for either capital outlay or local assistance until June 30, 2012.

SEC. 212. Item 3760-301-6051 of Section 2.00 of the Budget Act of 2009 is amended to read:

3760-301-6051—For capital outlay, State Coastal Conservancy, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection ~~Bond Act~~ *Fund* of 2006..... 78,317,000

Schedule:

(1) 80.97.030-Conservancy Programs.....	79,317,000
	81,317,000
(2) Reimbursements.....	-1,000,000
	-3,000,000

Provisions:

1. The amount appropriated in this item is available for encumbrance for either capital outlay or local assistance until June 30, 2012.
2. The funds appropriated in this item are conditioned upon all of the following:
 - (a) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition unless the grant contract provides a reversionary interest to the state that specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.
 - (b) The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for a state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy unless the

Director of General Services approves the lease terms.

- (c) Except for the above, the expenditure of funds for grants to nonstate public agencies and nonprofit organizations is exempt from State Public Works Board review.

SEC. 213. Item 3760-301-6076 of Section 2.00 of the Budget Act of 2009 is amended to read:

3760-301-6076—For capital outlay, State Coastal Conservancy,	
payable from the California Ocean Protection Trust	
Fund.....	26,750,000
Schedule:	
(1) 80.07.070-Ocean Protection Council....	27,550,000
	27,750,000
(2) Reimbursements.....	-800,000
	-1,000,000

Provisions:

- The amount appropriated in this item is available for encumbrance for either capital outlay or local assistance until June 30, 2012.
- The funds appropriated in this item are conditioned upon all of the following:
 - The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition unless the grant contract provides a reversionary interest to the state that specifies that the property shall not revert to the state without review and approval by the State Coastal Conservancy and the State Public Works Board.
 - The State Coastal Conservancy may not enter into a grant contract with a nonprofit organization or local government for property acquisition that provides for a state leasehold interest in property acquired by a nonstate public agency with grant funds of the State Coastal Conservancy unless the Director of General Services approves the lease terms.

(c) Except for the above, the expenditure of funds for grants to nonstate public agencies and nonprofit organizations is exempt from State Public Works Board review.

3. *Of the funds provided in this item for the Ocean Protection Council, \$4,400,000 shall be allocated to the Department of Fish and Game for state operations through an interagency agreement for the purpose of Marine Life Protection Act implementation.*

SEC. 214. Item 3760-495 is added to Section 2.00 of the Budget Act of 2009, to read:

3760-495—Reversion, State Coastal Conservancy. As of June 30, 2009, the amounts specified below of the appropriations provided in the following citations shall revert to the funds from which the appropriations were made:

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 3760-301-6031, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

<i>(1) 80.97.030-Conservancy</i>	<i>Pro-</i>	
<i>grams.....</i>		<i>500,000</i>

SEC. 215. Item 3790-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

<i>3790-001-0001—For support of Department of Parks and Recreation.....</i>	<i>143,408,000</i>
	<i>0</i>

Schedule:

<i>(1) For support of the Department of Parks and Recreation.....</i>	<i>438,089,000</i>
	<i>484,459,000</i>
<i>(2) Reimbursements.....</i>	<i>-45,744,000</i>
<i>(3) Less funding provided by capital outlay.....</i>	<i>-4,000,000</i>

1	(4) Amount payable from the Safe Neigh-	
2	borhood Parks, Clean Water, Clean Air,	
3	and Coastal Protection Bond Fund (Item	
4	3790-001-0005).....	-5,179,000
5	(5) Amount payable from the California	
6	Environmental License Plate Fund (Item	
7	3790-001-0140).....	-3,113,000
8	(6) Amount payable from the Public Re-	
9	sources Account, Cigarette and Tobacco	
10	Products Surtax Fund (Item 3790-001-	
11	0235).....	-9,699,000
12		-8,445,000
13	(7) Amount payable from the Off-Highway	
14	Vehicle Trust Fund (Item 3790-001-	
15	0263).....	-54,940,000
16		-54,607,000
17	(8) Amount payable from the State Parks	
18	and Recreation Fund (Item 3790-001-	
19	0392).....	-125,889,000
20		-115,889,000
21	(9) Amount payable from the Winter	
22	Recreation Fund (Item 3790-001-	
23	0449).....	-364,000
24	(10) Amount payable from the Harbors and	
25	Watercraft Revolving Fund (Item 3790-	
26	001-0516).....	-1,263,000
27	(11) Amount payable from the Federal Trust	
28	Fund (Item 3790-001-0890).....	-6,488,000
29	<i>(11.5) Amount payable from the Alternative</i>	
30	<i>and Renewable Fuel and Vehicle</i>	
31	<i>Technology Fund (Item 3790-001-</i>	
32	<i>3117)</i>	<i>-1,635,000</i>
33	<i>(11.6) Amount payable from the State</i>	
34	<i>Park Access Fund (Item 3790-001-</i>	
35	<i>3154).....</i>	<i>-199,730,000</i>
36	(12) Amount payable from the California	
37	Main Street Program Fund (Item 3790-	
38	001-3077).....	-175,000

1	(13) Amount payable from the California	
2	Clean Water, Clean Air, Safe Neighbor-	
3	hood Parks, and Coastal Protection	
4	Fund (Item 3790-001-6029).....	-4,663,000
5	(14) Amount payable from the Water Secu-	
6	rity, Clean Drinking Water, Coastal and	
7	Beach Protection Fund of 2002 (Item	
8	3790-001-6031).....	-445,000
9	(15) Amount payable from Safe Drinking	
10	Water, Water Quality and Supply,	
11	Flood Control, River and Coastal Pro-	
12	tection Fund of 2006 (Item 3790-001-	
13	6051).....	-32,501,000
14	(16) Amount payable from Safe Drinking	
15	Water, Water Quality and Supply,	
16	Flood Control, River and Coastal Pro-	
17	tection Fund of 2006 (Item 3790-002-	
18	6051).....	-4,000
19	(17) Amount payable from Disaster Prepared-	
20	ness and Flood Prevention Bond Fund	
21	of 2006 (Item 3790-001-6052).....	-214,000
22	Provisions:	
23	1. Of the funds appropriated by this act from the General	
24	Fund and special funds, other than the Off-Highway	
25	Vehicle Trust Fund and bond funds, to the Department	
26	of Parks and Recreation for local assistance grants to	
27	local agencies, the department may allocate an amount	
28	not to exceed 3.7 percent of each project's allocation,	
29	except to the extent otherwise restricted by law, to al-	
30	low the department to administer its grants. Those	
31	funds shall be available for encumbrance or expendi-	
32	ture until June 30, 2015.	
33	2. It is the intent of the Legislature that salaries, wages,	
34	operating expenses, and positions associated with im-	
35	plementing specific Department of Parks and Recre-	
36	ation capital outlay projects continue to be funded	
37	through capital outlay appropriations, and that these	
38	funds should also be reflected in the department's state	
39	operations budget in the Governor's Budget as a spe-	

1 cial item of expense reflecting the funding provided
2 from the capital outlay appropriations.

- 3 3. Notwithstanding any other provision of law, the Direc-
4 tor of Finance may authorize a loan from the General
5 Fund, in an amount not to exceed 35 percent of reim-
6 bursements appropriated in this item to the Department
7 of Parks and Recreation, provided that:

8 (a) The loan is to meet cash needs resulting from the
9 delay in receipt of reimbursements for services
10 provided.

11 (b) The loan is for a short term and shall be repaid
12 by September 30, 2010.

13 (c) Interest charges may be waived pursuant to subdivi-
14 sion (e) of Section 16314 of the Government
15 Code.

16 (d) The Director of Finance may not approve the loan
17 unless the approval is made in writing and filed
18 with the Chairperson of the Joint Legislative
19 Budget Committee and the chairpersons of the
20 committees in each house of the Legislature that
21 consider appropriations not later than 30 days
22 prior to the effective date of the approval, or not
23 sooner than whatever lesser time that the chairper-
24 son of the joint committee, or his or her designee,
25 may determine.

- 26 4. The Department of Parks and Recreation is authorized
27 to enter into a contract for fee collection and other
28 services required by the department with a cooperative
29 association that has and will continue to fund state
30 employees on an ongoing basis.

- 31 5. Of the amount appropriated in Schedule (2),
32 \$11,300,000 shall be available for encumbrance or
33 expenditure until June 30, 2011.

- 34 6. Of the amount appropriated in Schedule (15),
35 \$15,725,000 shall be available for encumbrance or
36 expenditure until June 30, 2011.

- 37 7. *Of the amount appropriated in Schedule (15),*
38 *\$8,000,000 shall be available for encumbrance or ex-*
39 *penditure for the purposes of implementing the Depart-*
40 *ment of Parks and Recreation's multiyear plan to*

1 *comply with the Americans with Disabilities Act until*
2 *June 30, 2012.*

3
4 *SEC. 216. Item 3790-001-0235 of Section 2.00 of the Budget*
5 *Act of 2009 is amended to read:*

6
7 3790-001-0235—For support of Department of Parks and
8 Recreation, for payment to Item 3790-001-0001, payable
9 from the Public Resources Account, Cigarette and Tobacco
10 Products Surtax Fund..... ~~9,699,000~~
11 ~~8,445,000~~

12
13 *SEC. 217. Item 3790-001-0263 of Section 2.00 of the Budget*
14 *Act of 2009 is amended to read:*

15
16 3790-001-0263—For support of Department of Parks and
17 Recreation, for payment to Item 3790-001-0001, payable
18 from the Off-Highway Vehicle Trust Fund..... ~~54,940,000~~
19 ~~54,607,000~~

20
21 *SEC. 218. Item 3790-001-0392 of Section 2.00 of the Budget*
22 *Act of 2009 is amended to read:*

23
24 3790-001-0392—For support of Department of Parks and
25 Recreation, for payment to Item 3790-001-0001, payable
26 from the State Parks and Recreation Fund..... ~~125,889,000~~
27 ~~115,889,000~~

28
29 *SEC. 219. Item 3790-001-3117 is added to Section 2.00 of the*
30 *Budget Act of 2009, to read:*

31
32 3790-001-3117—For support of Department of Parks and
33 Recreation, for payment to Item 3790-001-0001, payable
34 from the Alternative and Renewable Fuel and Vehicle
35 Technology Fund..... ~~1,635,000~~
36 Provisions:

37 1. *Notwithstanding any other provision of law, the De-*
38 *partment of Parks and Recreation may use Alternative*
39 *and Renewable Fuel and Vehicle Technology Funds*

to retrofit diesel vehicles to comply with State Air Resources Board regulations.

SEC. 220. Item 3790-001-3154 is added to Section 2.00 of the Budget Act of 2009, to read:

3790-001-3154—For support of Department of Parks and Recreation, for payment to Item 3790-001-0001, payable from the State Park Access Fund..... 199,730,000

SEC. 221. Item 3790-101-0005 is added to Section 2.00 of the Budget Act of 2009, to read:

3790-101-0005—For local assistance, Department of Parks and Recreation, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund 39,795,000

Schedule:

(1) 80.25-Recreational Grants..... 39,795,000

(a) Competitive Grants (Non-project specific)..... (40,000)

(1) Non-motorized Trails Grants..... (40,000)

(a) San Dieguito River Park Joint Powers Authority..... (40,000)

(b) Soccer and Baseball Fields..... (375,000)

(1) City of Los Angeles: Boyle Heights Sports Center for development of sports fields, both soccer and baseball..... (300,000)

(2) City of Montclair: Soccer Park..... (75,000)

(c) Per Capita..... (371,000)

(1) County of San Diego: Otay Valley Regional Park..... (371,000)

(d) Roberti-Z'berg-Harris..... (38,269,000)

(e) Zoos and Aquariums..... (740,000)

Provisions:

1. *The amounts displayed in this item represent the balances as of December 31, 2008. The Director of Finance may adjust these amounts to the extent indicated by reports of past expenditures identified and made prior to June 30, 2009.*
2. *Funds available in Schedule (1)(a) shall be allocated consistent with the balance available at time of reversion of Schedule (a)(1)(c) of Item 3790-102-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), and as reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), and allocated pursuant to the provisions of the Competitive Grants (Non-project specific) at the time of the original appropriation.*
3. *Funds available in Schedule (1)(b)(1) shall be allocated consistent with the balance available at time of reversion of Schedule (a)(6c)(r) of Item 3790-102-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), and as reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), and allocated pursuant to the provisions of the regional youth soccer and baseball facilities at the time of the original appropriation.*
4. *Funds available in Schedule (1)(b)(2) shall be allocated consistent with the balance available at time of reversion of Schedule (3)(b) of Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), and allocated pursuant to the provisions of the regional youth soccer and baseball facilities at the time of the original appropriation.*
5. *Funds available in Schedule (1)(c) shall be allocated consistent with the balance available at time of reversion of Item 3790-103-0005 Grants (per capita), Budget Act of 2000 (Ch. 52, Stats. 2000), and as reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), and allocated pursuant to the provisions of the per capita grants at the time of the original appropriation.*
6. *Funds available in Schedule (1)(d) shall be allocated consistent with balances available at time of reversion of Schedule (1)(b) of Item 3790-101-0005, Budget Act*

of 2001 (Ch. 106, Stats. 2001), and were allocated pursuant to the Roberti-Z'berg-Harris Urban-Open Space and Recreation Program Act (Chapter 3.2 (commencing with Section 5620) of Division 5 of the Public Resources Code) at the time of the original appropriation.

7. Funds available in Schedule (1)(e) shall be allocated consistent with balances available at time of reversion of Schedule (1)(d) of Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), and were allocated pursuant to the provisions of the grants for zoos and aquariums at the time of the original appropriation.

SEC. 222. Item 3790-301-6051 of Section 2.00 of the Budget Act of 2009 is amended to read:

3790-301-6051—For capital outlay, Department of Parks and Recreation, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006.....	23,270,000
Schedule:	
(1) 90.64.101-Eastshore SP: Brickyard Cove Development—Working drawings.....	833,000
(2) 90.6F.104-Angel Island SP: Immigration Station Hospital Rehabilitation—Preliminary plans.....	309,000
(3) 90.8G.104-Marshall Gold Discovery SHP: Park Improvements—Working drawings.....	735,000
(4) 90.8Y.101-Grover Hot Springs SP: Renovate Pool Complex—Preliminary plans.....	531,000
(5) 90.CT.100-Fort Ord Dunes SP: New Campground and Beach Access—Preliminary plans.....	1,198,000
(6) 90.EF.101-El Capitan SB: Construct New Lifeguard Headquarters—Preliminary plans.....	591,000

1	(7) 90.FO.102-Leo Carrillo SP: Steelhead	
2	Trout Barrier Removal—Preliminary	
3	plans and working drawings.....	380,000
4	(8) 90.GG.102-Silverwood Lake SRA: Na-	
5	ture Center Exhibits—Preliminary plans	
6	and working drawings.....	380,000
7	(9) 90.H6.102-Cuyamaca Rancho SP:	
8	Equestrian Facilities—Construction....	3,031,000
9	(10) 90.IJ.103-Old Town San Diego SHP:	
10	Building Demolition and Immediate	
11	Public Use Facilities—Preliminary	
12	plans.....	436,000
13	(11) 90.KZ.104-Los Angeles SHP: Site De-	
14	velopment/Planning and Phase I Build	
15	Out—Working drawings.....	3,355,000
16	(12) 90.RS.224-Statewide: State Park Sys-	
17	tem Acquisition Program—Acquisi-	
18	tion.....	8,000,000
19	(13) 90.RS.260-Statewide: Recreational	
20	Trails Program—Minors Program—Mi-	
21	nor Projects	433,000
22	(14) 90.RS.601-Statewide: Budget Develop-	
23	ment—Study Development—Studies....	300,000
24	(15) 90.RS.205-Statewide: State Park Sys-	
25	tem Minor Capital Outlay Program—	
26	Minors Program—Minor Projects	2,523,000
27	(16) 90.RS.235-Statewide: Volunteer En-	
28	hancement— Program—Minors Pro-	
29	gram—Minor Projects	615,000
30	(17) 90.RS.810-Statewide: Capitol Outlay	
31	Projects—Acquisition, preliminary	
32	plans, working drawings, construction,	
33	and minor projects.....	3,000,000
34	(18) Reimbursement—Statewide: Capital	
35	Outlay Projects.....	–3,000,000
36	(19) Reimbursement—Leo Carrillo SP:	
37	Steelhead Trout Barrier Removal.....	–380,000
38	Provisions:	
39	1. Notwithstanding any other provision of law, the funds	
40	appropriated in this item shall be available for expen-	

1 diture until June 30, 2013, except appropriations for
 2 preliminary plans and working drawings, which shall
 3 be available for expenditure until June 30, 2011, and
 4 minor capital outlay and studies, which shall be
 5 available for expenditure until June 30, 2010. In addition,
 6 the balance of each appropriation made in this
 7 item that contains funding for construction that has
 8 not been allocated, through fund transfer or approval
 9 to proceed to bid, by the Department of Finance on or
 10 before June 30, 2010, shall revert as of that date to the
 11 fund from which the appropriation was made.

12
 13 *SEC. 223. Item 3790-490 of Section 2.00 of the Budget Act of*
 14 *2009 is amended to read:*

15
 16 3790-490—Reappropriation, Department of Parks and Recreation. ~~The balances of the appropriations provided amounts~~
 17 ~~specified in the following citations are reappropriated for~~
 18 ~~the purposes provided for in those appropriations and shall~~
 19 ~~be available for encumbrance or expenditure until June~~
 20 ~~30, 2010 for the purposes and subject to the limitations,~~
 21 ~~unless otherwise specified, provided for in the following~~
 22 ~~appropriations:~~

23
 24 0001—General Fund

25 (1) \$3,074,000 from Item 3790-001-0001, Budget Act of
 26 2008 (Chs. 268 and 269, Stats. 2008), for support of
 27 the Department of Parks and Recreation

28 0263—Off-Highway Vehicle Trust Fund

29 (1) \$6,476,000 from Item 3790-001-0263, Budget Act of
 30 2008 (Chs. 268 and 269, Stats. 2008), for support of
 31 the Department of Parks and Recreation

32 6051—Safe Drinking Water, Water Quality and Supply,
 33 Flood Control, River and Coastal Protection ~~Bond Act~~
 34 Fund of 2006

35 Schedule:

36 (1) \$1,804,000 from Item 3790-001-6051, Budget Act of
 37 2008 (Chs. 268 and 269, Stats. 2008), for natural her-
 38 itage stewardship projects:

- (2) \$1,169,000 from Item 3790-001-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for cultural stewardship projects-
- (3) \$1,458,000 from Item 3790-001-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for interpretive exhibit projects-
- (4) \$1,907,000 from Item 3790-001-6051, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for statewide general planning projects-

SEC. 224. Item 3790-491 is added to Section 2.00 of the Budget Act of 2009, to read:

3790-491—Reappropriation, Department of Parks and Recreation. The balances of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided in the following appropriations:

- 0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund*
- (1) Item 3790-301-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), as reappropriated by Item 3790-490, Budget Acts of 2001 (Ch. 106, Stats. 2001), 2003 (Ch. 157, Stats. 2003), and 2006 (Chs. 47 and 48, Stats. 2006)*
 - (15) 90.CO.402-Henry W. Coe SP: Mount Hamilton—Acquisition*
 - (20) 90.C9.100-Montana De Oro SP: Irish Hills—Acquisition*
 - (2) Item 3790-301-0005, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 3790-491, Budget Acts of 2004 (Ch. 208, Stats. 2004) and 2006 (Chs. 47 and 48, Stats. 2006), as reverted by Item 3790-496, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and Item 3790-495, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*
 - (12) 90.2W.101-Prairie Creek Redwoods SP: Public Use Improvements—Construction*
 - (3) Item 3790-301-0005, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3790-491,*

- 1 *Budget Acts of 2005 (Chs. 38 and 39, Stats. 2005),*
 2 *2006 (Chs. 47 and 48, Stats. 2006), 2007 (Chs. 171*
 3 *and 172, Stats. 2007), and 2008 (Chs. 268 and 269,*
 4 *Stats. 2008)*
 5 *(.1) 90.EX.101-Malibu Creek SP: Restore Sepulveda*
 6 *Adobe—Working drawings and construction*
 7 *(.2) 90.E4.103-Chino Hills SP: Visitor Center—Con-*
 8 *struction and equipment*
 9 *(1) 90.GI.101-Crystal Cove SP: El Morro Mobile-*
 10 *home Park Conversion—Construction*
 11 *(5) Reimbursement—Crystal Cove State Park: El*
 12 *Morro Mobilehome Park Conversion*
 13 *(4) Item 3790-301-0005, Budget Act of 2005 (Chs. 38 and*
 14 *39, Stats. 2005), as reappropriated by Item 3790-491,*
 15 *Budget Acts of 2006 (Chs. 47 and 48, Stats. 2006),*
 16 *2007 (Chs. 171 and 172, Stats. 2007), and 2008 (Chs.*
 17 *268 and 269, Stats. 2008)*
 18 *(1.1) 90.EX.101-Malibu Creek SP: Restore Sepulveda*
 19 *Adobe—Construction*
 20 *(1.2) 90.E4.103-Chino Hills SP: Visitor Center—Con-*
 21 *struction*
 22 *(3) 90.I6.101-San Elijo State Beach: Replace Main*
 23 *Lifeguard Tower—Preliminary plans and working*
 24 *drawings*
 25 *(5) Item 3790-301-0005, Budget Act of 2006 (Chs. 47 and*
 26 *48, Stats. 2006), as reappropriated by Item 3790-491,*
 27 *Budget Acts of 2007 (Chs. 171 and 172, Stats. 2007)*
 28 *and 2008 (Chs. 268 and 269, Stats. 2008)*
 29 *(3) 90.I6.101-San Elijo SB: Replace Main Lifeguard*
 30 *Tower—Construction and equipment*
 31 *(6) Item 3790-301-0005, Budget Act of 2007 (Chs. 171*
 32 *and 172, Stats. 2007), as reappropriated by Item 3790-*
 33 *491, Budget Act of 2008 (Chs. 268 and 269, Stats.*
 34 *2008)*
 35 *(1.5) 90.I6.101-San Elijo SB: Replace Main Lifeguard*
 36 *Tower—Construction*
 37 *(2) 90.RS.205-Statewide: State Park System—Minor*
 38 *projects*
 39 *(7) Item 3790-301-0005, Budget Act of 2008 (Chs. 268*
 40 *and 269, Stats. 2008)*

- 1 (1) 90.RS.205-Statewide: State Park System—Minor
- 2 projects
- 3 0263—Off-Highway Vehicle Trust Fund
- 4 (1) Item 3790-301-0263, Budget Act of 2003 (Ch. 157,
- 5 Stats. 2003), as reappropriated by Item 3790-491,
- 6 Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and
- 7 as reverted by Item 3790-495, Budget Act of 2007
- 8 (Chs. 171 and 172, Stats. 2007)
- 9 (2.5) 90.RS.423-Statewide: OHV Park and Buffer
- 10 Acquisition Projects—Acquisition
- 11 (2) Item 3790-301-0263, Budget Act of 2006 (Chs. 47 and
- 12 48, Stats. 2006)
- 13 (2) 90.RS.405-Statewide OHV Opportunity Pur-
- 14 chase/Budget Package/Schematic Planning—Ac-
- 15 quisition and study
- 16 (3) Item 3790-301-0263, Budget Act of 2008 (Chs. 268
- 17 and 269, Stats. 2008)
- 18 (1) 90.A7.105-Prairie City SVRA: 4x4 Improve-
- 19 ments—Preliminary plans and working drawings
- 20 (2) 90.7C.102-Oceano Dunes SVRA: Visitor Center
- 21 and Storage—Preliminary plans
- 22 (4) 90.RS.206-Statewide: OHV Minor Projects
- 23 0890—Federal Trust Fund
- 24 (1) Item 3790-301-0890, Budget Act of 2007 (Chs. 171
- 25 and 172, Stats. 2007), as reappropriated by Item 3790-
- 26 491, Budget Act of 2008 (Chs. 268 and 269, Stats.
- 27 2008)
- 28 (0.5) 90.I6.101-San Elijo SB: Replace Lifeguard
- 29 Tower—Construction
- 30 6029—California Clean Water, Clean Air, Safe Neighbor-
- 31 hood Parks, and Coastal Protection Fund
- 32 (1) Item 3790-301-6029, Budget Act of 2003 (Ch. 157,
- 33 Stats. 2003), as reappropriated by Item 3790-491,
- 34 Budget Acts of 2004 (Ch. 208, Stats. 2004) and 2006
- 35 (Chs. 47 and 48, Stats. 2006)
- 36 (2.5) 90.EC.103-Kenneth Hahn State Recreation Area:
- 37 Vista Pacifica Visitor Center—Preliminary
- 38 plans, working drawings, and construction
- 39 (10) 90.RS.224-Statewide: State Park System Acquisi-
- 40 tion Program—Acquisition

- 1 (18) 90.6C.101-Ano Nuevo State Reserve: Marine
2 Education Center—Preliminary plans, working
3 drawings, construction, and equipment
4 (24) Reimbursements: Ano Nuevo State Reserve: Ma-
5 rine Education Center
6 (2) Item 3790-301-6029, Budget Act of 2004 (Ch. 208,
7 Stats. 2004), as reappropriated by Item 3790-491,
8 Budget Acts of 2005 (Chs. 38 and 39, Stats. 2005),
9 2006 (Chs. 47 and 48, Stats. 2006), 2007 (Chs. 171
10 and 172, Stats. 2007), and 2008 (Chs. 268 and 269,
11 Stats. 2008), as reverted by Item 3790-496, Budget
12 Act of 2005 (Chs. 38 and 39, Stats. 2005), and as re-
13 verted by item 3790-495, Budget Acts of 2006 (Chs.
14 47 and 48, Stats. 2006) and 2007 (Chs. 171 and 172,
15 Stats. 2007)
16 (2.2) 90.E4.104-Chino Hills SP: Entrance Road and
17 Facilities—Working drawings
18 (2.6) 90.GY.101-Doheny State Beach: New Lifeguard
19 Headquarters—Construction and equipment
20 (5.1) 90.8D.102-Donner Memorial SP: New Visitor
21 Center—Working drawings, construction, and
22 equipment
23 (5.7) Reimbursement—Donner Memorial SP: New
24 Visitor Center
25 (3) Item 3790-301-6029, Budget Act of 2005 (Chs. 38 and
26 39, Stats. 2005), as reappropriated by Item 3790-491,
27 Budget Acts of 2006 (Chs. 47 and 48, Stats. 2006),
28 2007 (Chs. 171 and 172, Stats. 2007), and 2008 (Chs.
29 268 and 269, Stats. 2008), and as reverted by Item
30 3790-495, Budget Act of 2007 (Chs. 171 and 172,
31 Stats. 2007)
32 (3) 90.E4.104-Chino Hills SP: Entrance Road and
33 Facilities—Construction and equipment
34 (4) 90.FW.101-Topanga State Park: Public Use Im-
35 provements—Construction and equipment
36 (7) 90.3I.101-Shasta State Historic Park: Southside
37 Ruins Stabilization—Working drawings and con-
38 struction

- (8) 90.6H.101-Samuel P. Taylor SP: Install New Concrete Reservoirs—Working drawings and construction
- (4) Item 3790-301-6029, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 3790-491, Budget Acts of 2007 (Chs. 171 and 172, Stats. 2007) and 2008 (Chs. 268 and 269, Stats. 2008)
- (3.5) 90.8D.102-Donner Memorial SP: New Visitor Center—Working drawings and construction
- (3.8) Reimbursement—Donner Memorial SP: New Visitor Center
- (5) Item 3790-301-6029, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 3790-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
- (1) 90.RS.810-Statewide: Capital Outlay Projects—Acquisition, preliminary plans, construction, and minor projects
- (3) Reimbursements—Statewide Capital Outlay Projects
- (6) Chapter 1126 of the Statutes of 2002, as reappropriated by Item 3790-491, Budget Acts of 2005 (Chs. 38 and 39, Stats. 2005), 2006 (Chs. 47 and 48, Stats. 2006), 2007 (Chs. 171 and 172, Stats. 2007), and 2008 (Chs. 268 and 269, Stats. 2008)
- (2) 90.8L.101-California Indian Museum—Studies, preliminary plans, working drawings, and construction
- 6051—Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006
- (1) Item 3790-301-6051, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 3790-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
- (3.5) 90.KZ.104-Los Angeles State Historic Park (Cornfields): Planning and Phase I Build Out—Preliminary plans
- (5) 90.8I.101-Calaveras Big Trees State Park: New Visitor Center—Working drawings, construction, and equipment

- 1 (6) *Reimbursements—Calaveras Big Trees State*
- 2 *Park: New Visitor Center*
- 3 (2) *Item 3790-301-6051, Budget Act of 2008 (Chs. 268*
- 4 *and 269, Stats. 2008)*
- 5 (3) *90.RS.260-Statewide: Recreational Trails—Minor*
- 6 *projects*
- 7 (4) *90.RS.205-Statewide: State Park System—Minor*
- 8 *projects*
- 9 (5) *90.RS.235-Statewide: Volunteer Enhancement*
- 10 *Program—Minor projects*
- 11 (6) *90.RS.601-Statewide: Budget Development—Stud-*
- 12 *ies*

13

14 *SEC. 225. Item 3790-492 is added to Section 2.00 of the Budget*
 15 *Act of 2009, to read:*

16

17 *3790-492—Reappropriation, Department of Parks and Recre-*
 18 *ation. Notwithstanding any other provision of law, the pe-*
 19 *riod to liquidate encumbrances for the amounts specified*
 20 *in the following citations is extended as cited below:*
 21 *0005—Safe Neighborhood Parks, Clean Water, Clean Air,*
 22 *and Coastal Protection Bond Fund*

- 23 (1) *\$61,132 from Item 3790-001-0005, Budget Act of 2004*
 24 *(Ch. 208, Stats. 2004), and reappropriated by Item*
 25 *3790-492, Budget Act of 2006 (Chs. 47 and 48, Stats.*
 26 *2006), for support of the Department of Parks and*
 27 *Recreation until June 30, 2010.*
- 28 (2) *\$521,722 from Item 3790-001-0005, Budget Act of*
 29 *2006 (Chs. 47 and 48, Stats. 2006), for support of the*
 30 *Department of Parks and Recreation until June 30,*
 31 *2010.*
- 32 (3) *\$422,207 from Item 3790-001-0005, Budget Act of*
 33 *2007 (Chs. 171 and 172, Stats. 2007), for support of*
 34 *the Department of Parks and Recreation until June*
 35 *30, 2011.*

36 *6029—California Clean Water, Clean Air, Safe Neighbor-*
 37 *hood Parks, and Coastal Protection Fund*

- 38 (1) *\$394,850 from Item 3790-001-6029, Budget Act of*
 39 *2006 (Chs. 47 and 48, Stats. 2006), for support of the*

Department of Parks and Recreation until June 30, 2010.

(2) *\$185,441 from Item 3790-001-6029, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 3790-490, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and reappropriated by Item 3790-490 (Chs. 171 and 172, Stats. 2007), for support of the Department of Parks and Recreation until June 30, 2011.*

(3) *\$70,257 from Item 3790-001-6029, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for support of the Department of Parks and Recreation until June 30, 2011.*

6051—Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006

(1) *\$383,844 from Item 3790-001-6051, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for support of the Department of Parks and Recreation until June 30, 2011.*

SEC. 226. *Item 3790-494 is added to Section 2.00 of the Budget Act of 2009, to read:*

3790-494—Reappropriation, Department of Parks and Recreation. Notwithstanding any other provision of law, the period to liquidate encumbrances in the following citations is extended as cited below:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

(1) *Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), until June 30, 2010*

(1) *80.25-Recreational Grants*

(a) *Local Agencies Operating Park Units*

(c) *Murray-Hayden Urban Parks and Youth Services Program*

(2) *80.30-Historic Preservation Grants*

(a) *California Heritage Program*

(2) *Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001), as reappropriated by Item 3790-492, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008),*

1 *for the City of Los Angeles, Department of Parks and*
2 *Recreation for the Seoul International Park until June*
3 *30, 2011*

4 *(1) 80.25-Recreational Grants*

5 *(c) Murray-Hayden Urban Parks and Youth*
6 *Services Program*

7 *(3) Item 3790-101-0005, Budget Act of 2005 (Chs. 38 and*
8 *39, Stats. 2005), for improvements to the bicycle and*
9 *pedestrian trail and for bluff erosion and safety railing*
10 *at Bolsa Chica State Beach until June 30, 2011*

11 *(1) 80.25-Recreational Grants*

12 *(a) Local Agencies Operating Park Units to the*
13 *City of Huntington Beach*

14 *(4) Item 3790-102-0005, Budget Act of 2000 (Ch. 52,*
15 *Stats. 2000), (a) 80.25-Recreational Grants, (5) Mur-*
16 *ray-Hayden Grants, as reappropriated by Item 3790-*
17 *492, Budget Act of 2007 (Chs. 171 and 172, Stats.*
18 *2007), until June 30, 2010*

19 *(j) City of Los Angeles: Blythe Street Pocket Park*

20 *(m) City of Los Angeles: Renovation of Brand Park*

21 *(q) City of Los Angeles: Community Build Youth*
22 *Center*

23 *(dy) City of Los Angeles: South Central Sport Center*

24 *(5) Item 3790-102-0005, Budget Act of 2000 (Ch. 52,*
25 *Stats. 2000), (a) 80.25-Recreational Grants, (5) Mur-*
26 *ray-Hayden Grants, as reappropriated by Item 3790-*
27 *490, Budget Act of 2008 (Chs. 268 and 269, Stats.*
28 *2008), until June 30, 2010*

29 *(c) City of Richmond: Richmond Natatorium, to en-*
30 *able seismic retrofit of the Natatorium*

31 *(p) City of Los Angeles: Juntos Park: outdoor devel-*
32 *opment at a recently acquired parcel to serve as*
33 *a new park*

34 *(x) City of Anaheim: Maxwell Park Expansion Pro-*
35 *ject from 15 to 21 acres*

36 *(ix) Santa Monica Mountains Conservancy: Arroyo*
37 *Seco/Confluence Park*

38 *(vx) YMCA of San Diego County: Border View Expan-*
39 *sion*

- (7) *Item 3790-102-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), as amended by Section 12 of Chapter 672 of the Statutes of 2000, and as reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), until June 30, 2010*
 - (a) *80.25-Recreational Grants*
 - (1) *Murray-Hayden Grants*
 - (ey) *Concerned Citizens of South Central Los Angeles: Acquisition and construction of Antes Columbus Youth Center, soccer field, and pocket park*
- 6029—*California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund*
 - (1) *Subdivision (b) of Section 2 of Chapter 1126 of the Statutes of 2002, as reappropriated by Item 3790-494, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for the grant to the City of San Jose for the development of Japantown until June 30, 2010*
 - (2) *Subdivision (b) of Section 2 of Chapter 1126 of the Statutes of 2002, as reappropriated by Item 3790-492, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the grant to the California State University, Chico Research Foundation for the design and construction of the Northern California Natural History Museum until June 30, 2011*
 - (3) *Subdivision (b) of Section 2 of Chapter 1126 of the Statutes of 2002, as reappropriated by Item 3790-492, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the grant to the Immigration Museum/New Americans until June 30, 2011*
 - (4) *Paragraph (6) of subdivision (b) of Section 4 of Chapter 1126 of the Statutes of 2002 to the City and County of San Francisco for Golden Gate Park until June 30, 2011*
 - (5) *Paragraph (7) of subdivision (b) of Section 4 of Chapter 1126 of the Statutes of 2002 to the County of Los Angeles for the El Pueblo Cultural and Performing Arts Center until June 30, 2011*

SEC. 227. Item 3790-497 of Section 2.00 of the Budget Act of 2009 is amended to read:

3790-497—Reversion, Department of Parks and Recreation.

Pursuant to ~~Public Resources Code~~ subdivision (d) of Section 5096.341 ~~(d)~~ of the Public Resources Code, as of June 30, 2009, the balances of the appropriations provided in the following citations shall revert to the fund from which the appropriations were made:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

(1) Item 3790-102-0005, Budget Act of 2000 (Ch. 52, Stats. 2000)

(a) 80.25-Recreational Grants

(1) *Competitive grants (non-project specific)*

(c) *Non-motorized Trails Grants, as partially reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), for a grant to the San Dieguito River Park Joint Powers Authority*

(6c) Soccer and baseball fields, as partially reappropriated by Item 3790-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), (a) 80.25 Recreational Grants, (6c) Soccer and baseball fields, (r) City of Los Angeles, Boyle Heights Sports Center for development of sports fields for both soccer and baseball as amended by SB 1681, Section 12 of Chapter 672, Statutes of 2000

(2) Item 3790-103-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), Grants (per capita), as partially reappropriated by Item 3790-490 of the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), (4) Item 3790-103-0005, Budget Act of 2000 (Ch. 52, Stats. 2000), Grants (per capita), County of San Diego for the \$1,855,000 grant for the Otay Valley Regional Park

(3) Item 3790-101-0005, Budget Act of 2001 (Ch. 106, Stats. 2001)

(1) 80.25-Recreational Grants

(b) Roberti-Z'berg Harris, and as partially reappropriated by Item 3790-490, Budget Act of

2007 (Chs. 171 and 172, Stats. 2007), (2)
Item 3790-101-0005, Budget Act of 2001
(Ch. 106, Stats. 2001), (1) 80.25 Recreational
Grants, (b) Roberti-Z'berg Harris. This reap-
propriation is limited to a \$328,770 grant to
the County of Butte.

(4) Item 3790-101-0005, Budget Act of 2001 (Ch. 106,
Stats. 2001)

(1) 80.25 Recreational Grants

(d) Zoos and Aquariums

(5) Item 3790-101-0005, Budget Act of 2001 (Ch. 106,
Stats. 2001)

(3) 80.28-Local Projects

(a) City and County of San Francisco: Young-
blood Coleman Soccer Field

(b) City of Montclair: Soccer Park

(c) Major League Baseball Urban Youth Foun-
dation: Major League Baseball Academy

*SEC. 228. Item 3810-001-0140 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3810-001-0140—For support of Santa Monica Mountains Conservancy, payable from the California Environmental License Plate Fund.....	247,000 297,000
Schedule:	
(1) 10-Santa Monica Mountains Conservan- cy	1,235,000 1,285,000
(2) Amount payable from the California Clean Water, Clean Air, Safe Neighbor- hood Parks, and Coastal Protection Fund (Item 3810-001-6029).....	-255,000
(3) Amount payable from the Water Securi- ty, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 (Item 3810-001-6031).....	-245,000

- (4) Amount payable from the Safe Drinking
Water, Water Quality and Supply, Flood
Control, River and Coastal Protection
Fund of 2006 (Item 3810-001-6051)..... -488,000

Provisions:

1. (a) The Santa Monica Mountains Conservancy shall not encumber state-appropriated funds for the purchase or acquisition of real property directly or through any public agency intermediary, including the State Public Works Board, that requires the payment of interest costs, or late fees or penalties, unless the conservancy certifies all of the following: (1) that the purchase is necessary to implement an acquisition identified in the high-priority category of the work program submitted annually to the Legislature pursuant to Section 33208 of the Public Resources Code, or amendments made thereto, (2) that the purchase agreement does not involve interest payments or terms in excess of those that the State Public Works Board may enter into pursuant to Section 15854.1 of the Government Code, and (3) that the purchase agreement does not commit the state to future appropriations.
- (b) The Santa Monica Mountains Conservancy shall report periodically to the Legislature, but no less frequently than twice yearly, concerning the status of any purchases certified as required in (a) and the amount of state funds thus far encumbered for interest, penalties, or other principal surcharges.

SEC. 229. Item 3810-301-6031 of Section 2.00 of the Budget Act of 2009 is amended to read:

3810-301-6031—For capital outlay, Santa Monica Mountains Conservancy, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002..... 35,000

Schedule:

±:

(1) 50.20-Capital Outlay and Local Assistance..... 35,000

Provisions:

1. The Santa Monica Mountains Conservancy may encumber funds for either capital outlay or local assistance grants until June 30, 2012. The conservancy shall not encumber funds for any grant not previously approved by the office of the Attorney General.
2. The Santa Monica Mountains Conservancy shall issue grants from this appropriation only in accordance with the General Obligation Bond Law and the specific provisions of the bond funds from which appropriations have been made, and according to advice it has received from the office of the Attorney General, and, if appropriate, from the office of the State Treasurer, respecting the permissible use of bond funds available to the conservancy.
3. Any time that the office of the Attorney General concludes that any use of bond funds has not been consistent with the advice provided by the Attorney General, the Santa Monica Mountains Conservancy shall follow the instructions of the Attorney General with respect to recovery, refund, or other settlement.

SEC. 230. Item 3810-491 is added to Section 2.00 of the Budget Act of 2009, to read:

3810-491—Reappropriation, Santa Monica Mountains Conservancy. Notwithstanding any other provision of law, the period to liquidate encumbrances of the appropriations in the following citations are extended as specified:

0005—Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund

(1) Item 3810-301-0005, Budget Act of 2004 (Ch. 208, Stats. 2004), until June 30, 2011

(1) 50.20.001-Capital Outlay Acquisitions

0941—Santa Monica Mountains Conservancy Fund

(1) *Reimbursements to Item 3810-301-0941, Budget Act of 2000 (Ch. 52, Stats. 2000), as reappropriated by Item 3810-490, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and as reappropriated by Item 3810-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008), until June 30, 2010*

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) *Item 3810-301-6031, Budget Act of 2004 (Ch. 208, Stats. 2004), until June 30, 2011*

(1) *50.20.001-Capital Outlay Acquisitions*

SEC. 231. *Item 3850-301-0005 is added to Section 2.00 of the Budget Act of 2009, to read:*

3850-301-0005—For capital outlay, Coachella Valley Mountains Conservancy, payable from the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Fund..... 343,000

Schedule:

(1) *20-Coachella Valley Mountains Conservancy Acquisition and Enhancement Projects and Costs..... 343,000*

Provisions:

1. *The funds appropriated in this item are available for expenditure for capital outlay or local assistance until June 30, 2012.*

SEC. 232. *Item 3850-301-6029 is added to Section 2.00 of the Budget Act of 2009, to read:*

3850-301-6029—For capital outlay, Coachella Valley Mountains Conservancy, payable from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund..... 456,000

Schedule:

(1) *20-Coachella Valley Mountains Acquisition and Enhancement Projects and Costs..... 456,000*

Provisions:

1. *The funds appropriated in this item are available for expenditure for capital outlay or local assistance until June 30, 2012.*

SEC. 233. Item 3850-301-6051 is added to Section 2.00 of the Budget Act of 2009, to read:

3850-301-6051—For capital outlay, Coachella Valley Mountains Conservancy, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006..... 6,000,000

Schedule:

- (1) 20-Coachella Valley Mountains Acquisition and Enhancement Projects and Costs..... 6,000,000

Provisions:

1. *The funds appropriated in this item are available for expenditure for capital outlay or local assistance until June 30, 2012.*

SEC. 234. Item 3855-001-0140 of Section 2.00 of the Budget Act of 2009 is amended to read:

3855-001-0140—For support of Sierra Nevada Conservancy, payable from the California Environmental License Plate Fund..... 3,732,000
4,232,000

Schedule:

- (1) 10-Sierra Nevada Conservancy..... 4,454,000
4,954,000
- (2) Reimbursements..... -200,000
- (3) Amount payable from Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006 (Item 3855-001-6051)..... -522,000

SEC. 235. Item 3855-490 is added to Section 2.00 of the Budget Act of 2009, to read:

3855-490—*Reappropriation, Sierra Nevada Conservancy.*
Notwithstanding any other provision of law, the period to
liquidate encumbrances of the following citation is extended
to June 30, 2012:
 6051—*Safe Drinking Water, Water Quality and Supply,*
Flood Control, River and Coastal Protection Fund of 2006
 (1) *Item 3855-101-6051, Budget Act of 2007 (Chs. 171*
and 172, Stats. 2007)

SEC. 236. *Item 3860-001-0001 of Section 2.00 of the Budget*
Act of 2009 is amended to read:

3860-001-0001—For support of Department of Water Re-	
sources.....	70,127,000
	63,127,000
Schedule:	
(1) 10-Continuing Formulation of the Cali-	
fornia Water Plan.....	87,472,000
	94,093,000
(2) 20-Implementation of the State Water	
Resources Development System.....	5,360,000
(3) 30-Public Safety and Prevention of	
Damage.....	148,345,000
	156,725,000
(4) 35-Central Valley Flood Protection	
Board.....	8,549,000
	6,359,000
(5) 40-Services.....	9,660,000
(6) 45-California Energy Resources	
Scheduling (CERS).....	26,098,000
(7) 50.01-Management and Administra-	
tion.....	67,155,000
(8) 50.02-Distributed Management and	
Administration.....	-67,155,000
(9) Reimbursements.....	-45,591,000
	-53,591,000
(10) Amount payable from the California	
Environmental License Plate Fund	
(Item 3860-001-0140).....	-270,000
	-330,000

1	(11) Amount payable from the Central Val-	
2	ley Project Improvement Subaccount	
3	(Item 3860-001-0404).....	-1,578,000
4		-709,000
5	(12) Amount payable from the Feasibility	
6	Projects Subaccount (Item 3860-001-	
7	0445).....	-7,000
8	(13) Amount payable from the Water Con-	
9	servation and Groundwater Recharge	
10	Subaccount (Item 3860-001-0446).....	-125,000
11	(14) Amount payable from the Energy Re-	
12	sources Programs Account (Item 3860-	
13	001-0465).....	-2,564,000
14	(15) Amount payable from the Local Pro-	
15	jects Subaccount (Item 3860-001-	
16	0543).....	-101,000
17	(16) Amount payable from the Sacramento	
18	Valley Water Management and Habitat	
19	Protection Subaccount (Item 3860-001-	
20	0544).....	-27,000
21	(17) Amount payable from the 1986 Water	
22	Conservation and Water Quality Bond	
23	Fund (Item 3860-001-0744).....	-195,000
24	(18) Amount payable from the Federal	
25	Trust Fund (Item 3860-001-0890).....	-13,922,000
26		-19,242,000
27	(19) Amount payable from the Dam Safety	
28	Fund (Item 3860-001-3057).....	-11,311,000
29		-11,611,000
30	(20) Amount payable from the Department	
31	of Water Resources Electric Power	
32	Fund (Item 3860-001-3100).....	-26,098,000
33	(21) Amount payable from the Safe Drinking	
34	Water, Clean Water, Watershed Protec-	
35	tion, and Flood Protection Bond Fund	
36	(Item 3860-001-6001).....	-1,029,000
37	(22) Amount payable from the Flood Protec-	
38	tion Corridor Subaccount (Item 3860-	
39	001-6005).....	-150,000

1	(23) Amount payable from the Urban Stream	
2	Restoration Subaccount (Item 3860-	
3	001-6007).....	-33,000
4	(24) Amount payable from the Yuba Feather	
5	Flood Protection Subaccount (Item	
6	3860-001-6010).....	-281,000
7	(25) Amount payable from the Water Con-	
8	servation Account (Item 3860-001-	
9	6023).....	-849,000
10	(26) Amount payable from the Conjunctive	
11	Use Subaccount (Item 3860-001-	
12	6025).....	-1,503,000
13	(27) Amount payable from the Bay-Delta	
14	Multipurpose Water Management Sub-	
15	account (Item 3860-001-6026).....	-5,966,000
16	(28) Amount payable from the Interim Water	
17	Supply and Water Quality Infrastructure	
18	and Management Subaccount (Item	
19	3860-001-6027).....	-2,796,000
20	(29) Amount payable from the Water Secu-	
21	rity, Clean Drinking Water, Coastal	
22	and Beach Protection Fund of 2002	
23	(Item 3860-001-6031).....	-16,082,000
24	(30) Amount payable from the Safe Drinking	
25	Water, Water Quality and Supply,	
26	Flood Control, River and Coastal Pro-	
27	tection Fund of 2006 (Item 3860-001-	
28	6051).....	-4,143,000
29	(31) Amount payable from the Disaster	
30	Preparedness and Flood Prevention	
31	Bond Fund of 2006 (Item 3860-001-	
32	6052).....	-80,736,000
33		-87,736,000
34	Provisions:	
35	1. The amounts appropriated in Items 3860-001-0001 to	
36	3860-001-6052, inclusive, shall be transferred to the	
37	Water Resources Revolving Fund (0691) for direct	
38	expenditure in such amounts as the Department of Fi-	
39	nance may authorize, including cooperative work with	
40	other agencies.	

2. The funds appropriated in this item for purposes of subdivision (n) of Section 75050 of the Public Resources Code may be expended only so long as the United States Bureau of Reclamation continues to provide federal funds and continues to carry out federal actions to implement the settlement agreement in *Natural Resources Defense Council v. Rodgers* (2005) 381 F.Supp.2d 1212.

SEC. 237. Item 3860-001-0140 of Section 2.00 of the Budget Act of 2009 is amended to read:

3860-001-0140—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the California Environmental License Plate Fund.....	270,000
	330,000

SEC. 238. Item 3860-001-0404 of Section 2.00 of the Budget Act of 2009 is amended to read:

3860-001-0404—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Central Valley Project Improvement Subaccount.....	1,578,000
	709,000

SEC. 239. Item 3860-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

3860-001-0890—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Federal Trust Fund.....	13,922,000
	19,242,000

SEC. 240. Item 3860-001-3057 of Section 2.00 of the Budget Act of 2009 is amended to read:

3860-001-3057—For support of Department of Water Resources, for payment to Item 3860-001-0001, payable from the Dam Safety Fund.....	11,311,000
	11,611,000

1
2 *SEC. 241. Item 3860-001-6052 of Section 2.00 of the Budget*
3 *Act of 2009 is amended to read:*

4
5 3860-001-6052—For support of Department of Water Re-
6 sources, for payment to Item 3860-001-0001, payable from
7 the Disaster Preparedness and Flood Prevention Bond
8 Fund of 2006 80,736,000
9 87,736,000

10 Provisions:

- 11 1. Of the amount appropriated in this item, \$11,588,000
12 for the California Flood SAFE Program shall be
13 available for encumbrance or expenditure until June
14 30, 2012.

15
16 *SEC. 242. Item 3860-101-0544 of Section 2.00 of the Budget*
17 *Act of 2009 is repealed.*

18
19 ~~3860-101-0544—For local assistance, Department of Water~~
20 ~~Resources, payable from the Sacramento Valley Water~~
21 ~~Management and Habitat Protection Subaccount..... 8,000,000~~

22
23 *SEC. 243. Item 3860-101-6025 is added to Section 2.00 of the*
24 *Budget Act of 2009, to read:*

25
26 3860-101-6025—For local assistance, Department of Water
27 Resources, payable from the Conjunctive Use Subac-
28 count..... 218,000

29
30 *SEC. 244. Item 3860-101-6052 of Section 2.00 of the Budget*
31 *Act of 2009 is amended to read:*

32
33 3860-101-6052—For local assistance, Department of Water
34 Resources, payable from the Disaster Preparedness and
35 Flood Prevention Bond Fund of 2006..... 176,500,000
36 181,500,000

37 Provisions:

- 38 1. Of the funds appropriated in this item, \$5,000,000
39 shall be available for planning, design, and studies
40 for the Pajaro River Flood Control Project. Funding

provided in this item is made in consideration of, and shall be contingent upon, the identification of federal American Recovery and Reinvestment Act funding for the project. To the extent the funds appropriated in this item are used for design of the project, the funds shall be considered as the state share of cost toward the nonfederal share of the Project.

SEC. 245. *Item 3860-301-6052 of Section 2.00 of the Budget Act of 2009 is amended to read:*

3860-301-6052—For capital outlay, Department of Water Resources, payable from the Disaster Preparedness and Flood Prevention Bond Fund of 2006.....		115,590,000
		123,840,000
Schedule:		
(1) 30.95.115-American River Flood Control Project: Common Elements.....	10,801,000	
(2) 30.95.260-South Sacramento County Streams.....	4,351,000	10,351,000
(3) 30.95.311-Folsom Dam Modifications Project.....	67,448,000	
(4) 30.95.341-System Evaluation of the State Plan of Flood Control.....	35,200,000	
(5) 30.95.342-Sutter Bypass Pumping Plants Control Systems.....	7,122,000	
(5.5) 30.95.343-Sutter Bypass East Water Control Structure.....	3,992,000	
(6) 30.95.344-Knights Landing Outfall Gates Rehabilitation.....	10,273,000	
(7) 30.95.345-Sacramento Yard—Soil and Groundwater Investigation and Remediation.....	5,050,000	
(8) Reimbursements—Folsom Dam Modifications Project.....	-20,192,000	
(9) Reimbursements—South Sacramento County Streams.....	-1,263,000	-3,005,000

(10) Reimbursements—American River
Flood Control Project: Common Ele-
ments..... -3,200,000

Provisions:

1. The funds appropriated in this item may be expended for relocations and acquisition of land, easements, and rights-of-way, including, but not limited to, borrow pits, spoil areas, and easements for levees, clearing, flood control works, and flowage, and for appraisals, surveys, and engineering studies necessary for the completion or operation of the projects in the Sacramento and San Joaquin watersheds as authorized by Section 8617.1 and Chapters 1 (commencing with Section 12570), 2 (commencing with Section 12639), 3 (commencing with Section 12800), 3.5 (commencing with Section 12840), and 4 (commencing with Section 12850) of Part 6 of Division 6 of the Water Code. Notwithstanding paragraph (1) of subdivision (a) of Section 12582.7 and Section 12585.5 of the Water Code, prior to state and federal authorization of the project and appropriation of federal construction funds by Congress and subsequent to submittal of a report to the Legislature pursuant to Section 12582.7 of the Water Code, the amounts appropriated in this item may be expended for state costs associated with pre-construction design and engineering work conducted by the federal government and others.
2. The amounts appropriated in this item are also for advances to the federal government or payments to the federal government or others for incidental construction or reconstruction items that are an obligation of the state in connection with the completion or operation of the projects and for materials and necessary construction, reconstruction, relocation, or alterations to highways, railroads, bridges, power lines, communication lines, pipelines, irrigation works, and other structures and facilities and for appraisals, surveys, and engineering studies incidental thereto.
3. The funds appropriated in this item include funding for preliminary plans, working drawings, construction

supervision, contract administration, and other work activities to be performed by Department of Water Resources personnel in completion of the projects.

4. The funds appropriated in this item may be used to implement the above projects by arranging to perform work which is a federal responsibility prior to the availability of federal appropriations with the intention that the costs will be reimbursed or eligible for credit by the federal government as provided in Public Law 99-662, Section 104, November 17, 1986, or Public Law 90-488, Section 215, August 13, 1968.
5. Notwithstanding Section 26.00, funds may be transferred, with the approval of the Department of Finance, between projects specified in this item and other Department of Water Resources major capital outlay projects with an active appropriation. The Director of Finance shall notify, in writing, the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, within 30 days or such lesser time as the ~~Chairperson~~ *chairperson* of the ~~Joint Legislative Budget Committee~~ *joint committee*, or his or her designee, may determine, prior to any transfer.
6. Payments from a local sponsor to pay for obligations that are federal obligations may be received by the Department of Water Resources and advanced to the federal government with the intent that the costs shall be reimbursed or eligible for credit.

SEC. 246. Item 3860-490 is added to Section 2.00 of the Budget Act of 2009, to read:

3860-490—Reappropriation, Department of Water Resources.
The balances of the appropriations provided in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2011:
0001—General Fund

- 1 (1) *Item 3860-301-0001, Budget Act of 1997 (Ch. 282,*
- 2 *Stats. 1997), as reappropriated by Item 3860-490,*
- 3 *Budget Act of 2000 (Ch. 52, Stats. 2000), Item 3860-*
- 4 *490, Budget Act of 2001 (Ch. 106, Stats. 2001), Item*
- 5 *3860-492, Budget Act of 2002 (Ch. 379, Stats. 2002),*
- 6 *and Item 3860-490, Budget Act of 2005 (Chs. 38 and*
- 7 *39, Stats. 2005)*
- 8 (5) *30.95.220-Upper Sacramento Area Levee Recon-*
- 9 *struction Project*
- 10 (9) *Reimbursements—Upper Sacramento Area Levee*
- 11 *Reconstruction Project*
- 12 (2) *Item 3860-301-0001, Budget Act of 2001 (Ch. 106,*
- 13 *Stats. 2001), as reappropriated by Item 3860-490,*
- 14 *Budget Act of 2004 (Ch. 208, Stats. 2004), and Item*
- 15 *3860-492, Budget Act of 2007 (Chs. 171 and 172,*
- 16 *Stats. 2007)*
- 17 (1.5) *30.95.030.201-Merced County Streams, Castle*
- 18 *Dam Unit*
- 19 (2.5) *30.95.215.201-Lower Sacramento Area Recon-*
- 20 *struction Project*
- 21 (4.5) *30.95.295.201-Tehama Section 205 Flood Con-*
- 22 *trol Project*
- 23 (17.5) *Reimbursements-Tehama Flood Control Pro-*
- 24 *ject*
- 25 (19) *Reimbursements-Merced County Streams, Castle*
- 26 *Dam Unit*
- 27 (3) *Item 3860-301-0001, Budget Act of 2006 (Chs. 47 and*
- 28 *48, Stats. 2006)*
- 29 (4) *30.95.245-American River Flood Control Pro-*
- 30 *ject—Natomas Features*
- 31 (6) *30.95.330-American River Watershed, Folsom*
- 32 *Dam Raise Project, Bridge Element*
- 33 (10) *Reimbursements-American River Watershed,*
- 34 *Folsom Dam Raise Project, Bridge Element*
- 35

36 SEC. 247. *Item 3860-491 is added to Section 2.00 of the Budget*
 37 *Act of 2009, to read:*

3860-491—Reappropriation, Department of Water Resources.
Notwithstanding any other provision of law, the period to
liquidate encumbrances of the following citations is extend-
ed to June 30, 2011:

0001—General Fund

(1) Item 3860-301-0001, Budget Act of 2000 (Ch. 52,
Stats. 2000), as extended by Item 3860-492, Budget
Act of 2005 (Chs. 38 and 39, Stats. 2005), and Item
3860-493, Budget Act of 2007 (Chs. 171 and 172,
Stats. 2007)

(2) 30.95.030-Merced County Streams

SEC. 248. Item 3860-492 is added to Section 2.00 of the Budget
Act of 2009, to read:

3860-492—Reappropriation, Department of Water Resources.
The balances of the appropriations provided for in the
following citations are reappropriated for the purposes
provided for in those appropriations and shall be available
for encumbrance or expenditure until June 30, 2011:

6005—Flood Protection Corridor Subaccount

(1) Item 3860-001-6005, Budget Act of 2008 (Chs. 268
and 269, Stats. 2008), for the Flood Protection Corri-
dor Program

6010—Yuba Feather Flood Protection Subaccount

(1) Item 3860-101-6010, Budget Act of 2004 (Ch. 208,
Stats. 2004), as reappropriated by Item 3860-491,
Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), for
the Yuba Feather Flood Protection Program

6026—Bay-Delta Multipurpose Water Management Sub-
account

(1) Item 3860-001-6026, Budget Act of 2007 (Chs. 171
and 172, Stats. 2007), for the CALFED Conveyance
and Drinking Water Quality Programs

(2) Item 3860-001-6026, Budget Act of 2008 (Chs. 268
and 269, Stats. 2008), for the CALFED Conveyance
and Drinking Water Quality Programs

6031—Water Security, Clean Drinking Water, Coastal and
Beach Protection Fund of 2002

- 1 (1) *Item 3860-101-6031, Budget Act of 2005 (Chs. 38 and*
- 2 *39, Stats. 2005), as reappropriated by Item 3860-491,*
- 3 *Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), for*
- 4 *Desalinization*
- 5 (2) *Item 3860-001-6031, Budget Act of 2007 (Chs. 171*
- 6 *and 172, Stats. 2007), for the CALFED Water Quality*
- 7 *Program*
- 8 (3) *Item 3860-101-6031, Budget Act of 2008 (Chs. 268*
- 9 *and 269, Stats. 2008), for the Integrated Regional*
- 10 *Water Management Program*
- 11 *6051—Safe Drinking Water, Water Quality and Supply,*
- 12 *Flood Control, River and Coastal Protection Fund of 2006*
- 13 (1) *Item 3860-001-6051, Budget Act of 2008 (Chs. 268*
- 14 *and 269, Stats. 2008), for the Flood Protection Corri-*
- 15 *dor Program*
- 16 (2) *Item 3860-101-6051, Budget Act of 2008 (Chs. 268*
- 17 *and 269, Stats. 2008), for Programmatic Habitat*
- 18 *Restoration, Flood Protection Corridor Program, and*
- 19 *the Flood Control Project Subventions*
- 20 *6052—Disaster Preparedness and Flood Prevention Bond*
- 21 *Fund of 2006*
- 22 (1) *Item 3860-001-6052, Budget Act of 2007 (Chs. 171*
- 23 *and 172, Stats. 2007), for Sediment Removal*
- 24 (2) *Item 3860-001-6052, Budget Act of 2008 (Chs. 268*
- 25 *and 269, Stats. 2008), for Sycamore Creek, California*
- 26 *Flood Plan, and the Flood Protection Corridor Pro-*
- 27 *gram*
- 28 (3) *Item 3860-101-6052, Budget Act of 2008 (Chs. 268*
- 29 *and 269, Stats. 2008), for the State-Federal Flood*
- 30 *Control System Modifications and the Floodway Pro-*
- 31 *tection Corridor Program*

32
33 *SEC. 249. Item 3860-493 is added to Section 2.00 of the Budget*
34 *Act of 2009, to read:*

35
36 *3860-493—Reappropriation, Department of Water Resources.*
37 *Notwithstanding any other provision of law, the period to*
38 *liquidate encumbrances of the following citations is extend-*
39 *ed to June 30, 2011:*
40 *0001—General Fund*

(1) *Item 3860-101-0001, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), for Delta Levees Special Projects 0543—Local Projects Subaccount*

(1) *Item 3860-101-0543, Budget Act of 2000 (Ch. 52, Stats. 2000), as reappropriated by Item 3860-492, Budget Acts of 2003 (Ch. 157, Stats. 2003) and 2005 (Chs. 38 and 39, Stats. 2005), and Item 3860-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the Local Project Loan and Grant Program*

(2) *Item 3860-101-0543, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3860-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the Local Project Loan and Grant Program*

6005—*Flood Protection Corridor Subaccount*

(1) *Item 3860-101-6005, Budget Act of 2000 (Ch. 52, Stats. 2000), as reappropriated by Item 3860-492, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and Item 3860-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the Flood Protection Corridor Program*

6010—*Yuba Feather Flood Protection Subaccount*

(1) *Item 3860-101-6010, Budget Act of 2002 (Ch. 379, Stats. 2002), as reappropriated by Item 3860-492, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and Item 3860-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the Yuba Feather Flood Protection Program*

6023—*Water Conservation Account*

(1) *Item 3860-101-6023, Budget Act of 2002 (Ch. 379, Stats. 2002), as reappropriated by Item 3860-492, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and Item 3860-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), for the Infrastructure Rehabilitation Program*

(2) *Item 3860-101-6023, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3860-491, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), for the Infrastructure Rehabilitation Program and Groundwater Recharge Loan Program*

6025—*Conjunctive Use Subaccount*

- 1 (1) *Item 3860-101-6025, Budget Act of 2000 (Ch. 52,*
2 *Stats. 2000), as reappropriated by Item 3860-492,*
3 *Budget Acts of 2003 (Ch. 157, Stats. 2003) and 2005*
4 *(Chs. 38 and 39, Stats. 2005), and Item 3860-491,*
5 *Budget Act of 2007 (Chs. 171 and 172, Stats. 2007),*
6 *for the Groundwater Storage Program*
- 7 (2) *Item 3860-101-6025, Budget Act of 2004 (Ch. 208,*
8 *Stats. 2004), as reappropriated by Item 3860-491,*
9 *Budget Act of 2007 (Chs. 171 and 172, Stats. 2007),*
10 *for the Groundwater Storage Program*
- 11 (3) *Item 3860-101-6025, Budget Act of 2006 (Chs. 47 and*
12 *48, Stats. 2006), for the Groundwater Storage Pro-*
13 *gram*
- 14 6026—*Bay Delta Multipurpose Water Management Subac-*
15 *count*
- 16 (1) *Item 3860-001-6026, Budget Act of 2004 (Ch. 208,*
17 *Stats. 2004), as reappropriated by Item 3860-491,*
18 *Budget Acts of 2005 (Chs. 38 and 39, Stats. 2005) and*
19 *2007 (Chs. 171 and 172, Stats. 2007), for the Drinking*
20 *Water Quality Program*
- 21 (2) *Item 3860-001-6026, Budget Act of 2006 (Chs. 47 and*
22 *48, Stats. 2006), for the Drinking Water Quality Pro-*
23 *gram*
- 24 6027—*Interim Water Supply and Water Quality Infrastruc-*
25 *ture and Management Subaccount*
- 26 (1) *Item 3860-101-6027, Budget Act of 2002 (Ch. 379,*
27 *Stats. 2002), as reappropriated by Item 3860-492,*
28 *Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and*
29 *Item 3860-491, Budget Act of 2007 (Chs. 171 and 172,*
30 *Stats. 2007), for the Interim Reliable Water Supply*
31 *Program*
- 32 (2) *Item 3860-101-6027, Budget Act of 2006 (Chs. 47 and*
33 *48, Stats. 2006), for the Interim Reliable Water Supply*
34 *Program*
- 35 6031—*Water Security, Clean Drinking Water, Coastal and*
36 *Beach Protection Fund of 2002*
- 37 (1) *Item 3860-101-6031, Budget Act of 2004 (Ch. 208,*
38 *Stats. 2004), as reappropriated by Item 3860-491,*
39 *Budget Act of 2007 (Chs. 171 and 172, Stats. 2007),*
40 *for the Drought Panel Recommendations Program*

SEC. 250. Item 3860-495 is added to Section 2.00 of the Budget Act of 2009, to read:

3860-495—*Reversion, Department of Water Resources. As of June 30, 2009, the amounts provided in the following citations shall revert to the fund balances of the funds from which the appropriations were made:*

6023—*Water Conservation Account*

(1) *Item 3860-101-6023, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 3860-491, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), partially reverted by Item 3860-495, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)..... 1,098,393*

(2) *Item 3860-101-6023, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 3860-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)..... 14,999,000*

6031—*Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002*

(1) *Item 3860-001-6031, Budget Act of 2003 (Ch. 157, Stats. 2003) as reappropriated by Item 3860-491, Budget Act of 2004 (Ch. 208, Stats. 2004), and Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and Item 3860-492, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)..... 25,141,445*

(2) *Item 3860-101-6031, Budget Act of 2003 (Ch. 157, Stats. 2003) as reappropriated by Item 3860-491, Budget Act of 2004 (Ch. 208, Stats. 2004), Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and by Item 3860-492 Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)..... 6,886,269*

(3) *Item 3860-001-6031, Budget Act of 2007*
(Chs. 171 and 172, Stats. 2007), as reap-
propriated by Item 3860-492, Budget
Act of 2008 (Chs. 268 and 269, Stats.
2008)..... 4,590,871

SEC. 251. Item 3900-101-6051 is added to Section 2.00 of the
Budget Act of 2009, to read:

3900-101-6051—For local assistance, State Air Resources
Board, payable from the Safe Drinking Water, Water
Quality and Supply, Flood Control, River and Coastal
Protection Fund of 2006..... 12,000,000
Schedule:
(1) Grants..... 12,000,000

SEC. 252. Item 3900-490 is added to Section 2.00 of the Budget
Act of 2009, to read:

3900-490—Reappropriation, Air Resources Board. The balances
of the appropriations provided in the following citations
are reappropriated for the purposes provided for in those
appropriations and shall be available for encumbrance
until June 30, 2010. Notwithstanding Section 16304.1 of
the Government Code, the funds shall be available for
disbursements in liquidation of encumbrances until June
30, 2016. This item conforms to the appropriation to Sec-
tion 39626.5 of the Health and Safety Code, added by
Chapter 181 of the Statutes of 2007.
6054—California Ports Infrastructure, Security and Air
Quality Improvement Account, Highway Safety, Traffic
Reduction, Air Quality, and Port Security Fund of 2006
(1) Item 3900-001-6054, Budget Act of 2008 (Chs. 268
and 268, Stats. 2008)

SEC. 253. Item 3910-001-0387 of Section 2.00 of the Budget
Act of 2009 is amended to read:

1	3910-001-0387—For support of California Integrated Waste	
2	Management Board, payable from the Integrated Waste	
3	Management Account, Integrated Waste Management	
4	Fund.....	45,559,000
5	Schedule:	
6	(1) 11-Waste Reduction and Manage-	
7	ment.....	93,940,000
8		94,066,000
9	(2) 30.01-Administration.....	9,935,000
10	(3) 30.02-Distributed Administration.....	-9,935,000
11	(4) Reimbursements.....	-2,005,000
12	(5) Amount payable from the California	
13	Used Oil Recycling Fund (Item 3910-	
14	001-0100).....	-5,096,000
15	(6) Amount payable from the California	
16	Used Oil Recycling Fund (paragraph (4)	
17	of subdivision (a) of Section 48653 of	
18	the Public Resources Code).....	-192,000
19	(7) Amount payable from the California	
20	Used Oil Recycling Fund (paragraph (1)	
21	of subdivision (a) of Section 48653 of	
22	the Public Resources Code).....	-3,800,000
23	(8) Amount payable from the California	
24	Tire Recycling Management Fund	
25	(Item 3910-001-0226).....	-29,018,000
26	(9) Amount payable from the Recycling	
27	Market Development Revolving Loan	
28	Account, Integrated Waste Management	
29	Fund (Item 3910-001-0281).....	-1,003,000
30	(10) Amount payable from the Solid Waste	
31	Disposal Site Cleanup Trust Fund (Item	
32	3910-001-0386).....	-610,000
33	(11) Amount payable from the Integrated	
34	Waste Management Account, Integrated	
35	Waste Management Fund (Item 3910-	
36	006-0387).....	-640,000
37	(12) Amount payable from the Farm and	
38	Ranch Solid Waste Cleanup and	
39	Abatement Account (Item 3910-001-	
40	0558).....	-1,139,000

1	(13) Amount payable from the Federal Trust	
2	Fund (Item 3910-001-0890).....	275,000
3		401,000
4	(14) Amount payable from the Rigid Container Account (Item 3910-001-3024).....	165,000
5	(15) Amount payable from the Electronic Waste Recovery and Recycling Account (Item 3910-001-3065).....	4,438,000
6	Provisions:	
7	1. Notwithstanding subdivision (h) of Section 42023.1 of the Public Resources Code, the California Integrated Waste Management Board may offset the costs of administering the revolving loan program for Recycling Market Development Zones with funds appropriated in this item.	
8	2. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.	
9		

SEC. 254. Item 3910-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

24	3910-001-0890—For support of California Integrated Waste Management Board, for payment to Item 3910-001-0387, payable from the Federal Trust Fund.....	275,000
25		401,000
26		
27		
28		

SEC. 255. Item 3930-001-0106 of Section 2.00 of the Budget Act of 2009 is amended to read:

32	3930-001-0106—For support of Department of Pesticide Regulation, payable from the Department of Pesticide Regulation Fund.....	50,422,000
33		48,598,000
34	Schedule:	
35	(1) 10-Pesticide Programs.....	53,444,000
36		52,078,000
37	(2) 20.01-Administration.....	10,568,000
38		10,135,989
39		
40		

1	(3) 20.02-Distributed Administration.....	-10,568,000
2		-10,135,989
3	(4) Reimbursements.....	-765,000
4	(4.5) Amount payable from the California	
5	Environmental License Plate Fund	
6	(Item 3930-001-0140).....	-458,000
7	(5) Amount payable from the Federal Trust	
8	Fund (Item 3930-001-0890).....	-2,257,000
9	Provisions:	
10	1. The amount appropriated in this item includes revenues	
11	derived from the assessment of fines and penalties	
12	imposed as specified in Section 13332.18 of the Gov-	
13	ernment Code.	

14
15 *SEC. 256. Item 3930-001-0140 is added to Section 2.00 of the*
16 *Budget Act of 2009, to read:*

17
18 *3930-001-0140—For support of Department of Pesticide Regu-*
19 *lation, for payment to Item 3930-001-0106, payable from*
20 *the California Environmental License Plate Fund.....* 458,000

21
22 *SEC. 257. Item 3940-001-0235 of Section 2.00 of the Budget*
23 *Act of 2009 is amended to read:*

24
25 *3940-001-0235—For support of State Water Resources Control*
26 *Board, for payment to Item 3940-001-0439, payable from*
27 *the Public Resources Account, Cigarette and Tobacco*
28 *Products Surtax Fund.....* 2,342,000
29 2,039,000

30
31 *SEC. 258. Item 3940-001-0439 of Section 2.00 of the Budget*
32 *Act of 2009 is amended to read:*

33
34 *3940-001-0439—For support of State Water Resources Control*
35 *Board.....* 267,394,000
36 238,113,000

37 Schedule:

38 (1) 10-Water Quality..... 452,124,000
39 439,650,000

40 (2) 20-Water Rights..... 11,658,000

1	(3) 30.01-Administration.....	20,886,000
2	(4) 30.02-Distributed Administration.....	-20,886,000
3	(5) Reimbursements.....	-8,062,000
4		-8,932,000
5	(6) Amount payable from the General	
6	Fund (Item 3940-001-0001).....	-40,575,000
7	(7) Amount payable from the Unified Pro-	
8	gram Account (Item 3940-001-0028)....	-621,000
9	(8) Amount payable from the Waste Dis-	
10	charge Permit Fund (Item 3940-001-	
11	0193).....	-78,768,000
12	(9) Amount payable from the Marine Inva-	
13	sive Species Control Fund (Item 3940-	
14	001-0212).....	-103,000
15	(10) Amount payable from the Public Re-	
16	sources Account, Cigarette and Tobacco	
17	Products Surtax Fund (Item 3940-001-	
18	0235).....	-2,342,000
19		-2,039,000
20	(11) Amount payable from the Integrated	
21	Waste Management Account, Integrated	
22	Waste Management Fund (Item 3940-	
23	001-0387).....	-6,757,000
24	(12) Amount payable from the Water Recy-	
25	cling Subaccount (Item 3940-001-	
26	0419).....	-1,150,000
27	(13) Amount payable from the Drainage	
28	Management Subaccount (Item 3940-	
29	001-0422).....	-515,000
30	(14) Amount payable from the Seawater In-	
31	trusion Control Subaccount (Item 3940-	
32	001-0424).....	-222,000
33	(15) Amount payable from the Underground	
34	Storage Tank Tester Account (Item	
35	3940-001-0436).....	-64,000
36	(16) Amount payable from the 1984 State	
37	Clean Water Bond Fund (Item 3940-	
38	001-0740).....	-322,000

1	(17) Amount payable from the Federal	
2	Trust Fund (Item 3940-001-0890).....	-35,113,000
3		-51,353,000
4	(18) Amount payable from the Water Rights	
5	Fund (Item 3940-001-3058).....	-7,447,000
6	(19) Amount payable from the Watershed	
7	Protection Subaccount (Item 3940-001-	
8	6013).....	-250,000
9	(20) Amount payable from the Santa Ana	
10	River Watershed Subaccount (Item	
11	3940-001-6016).....	-250,000
12	(21) Amount payable from the Lake Elsinore	
13	and San Jacinto Watershed Subaccount	
14	(Item 3940-001-6017).....	-150,000
15	(22) Amount payable from the Nonpoint	
16	Source Pollution Control Subaccount	
17	(Item 3940-001-6019).....	-200,000
18	(23) Amount payable from the State Revolv-	
19	ing Fund Loan Subaccount (Item 3940-	
20	001-6020).....	-81,000
21	(24) Amount payable from the Wastewater	
22	Construction Grant Subaccount (Item	
23	3940-001-6021).....	-23,000
24	(25) Amount payable from the Coastal	
25	Nonpoint Source Control Subaccount	
26	(Item 3940-001-6022).....	-150,000
27	(26) Amount payable from the Water Secu-	
28	rity, Clean Drinking Water, Coastal and	
29	Beach Protection Fund of 2002 (Item	
30	3940-001-6031).....	-3,000,000
31	(27) Amount payable from the Safe Drinking	
32	Water, Water Quality and Supply,	
33	Flood Control, River and Coastal Pro-	
34	tection Fund of 2006 (Item 3940-001-	
35	6051).....	-4,073,000
36	(28) Amount payable from the Petroleum	
37	Underground Storage Tank Financing	
38	Account (Item 3940-001-8026).....	-618,000

(29) Amount payable from the State Water
Pollution Control Revolving Fund Ad-
ministration Fund (Item 3940-001-
9739)..... -5,532,000

Provisions:

1. Notwithstanding any other provision of law, upon approval and order of the Director of Finance, the State Water Resources Control Board may borrow sufficient funds for cash purposes from special funds that otherwise provide support for the board. Any such loans are to be repaid with interest at the rate earned in the Pooled Money Investment Account.

SEC. 259. Item 3940-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

3940-001-0890—For support of State Water Resources Control Board, for payment to Item 3940-001-0439, payable from the Federal Trust Fund..... ~~35,113,000~~
51,353,000

SEC. 260. Item 3940-011-0439 is added to Section 2.00 of the Budget Act of 2009, to read:

3940-011-0439—For transfer by the Controller from the Underground Storage Tank Cleanup Fund to the Underground Storage Tank Cleanup Fund, School District Account..... (10,000,000)

SEC. 261. Item 3940-012-0439 is added to Section 2.00 of the Budget Act of 2009, to read:

3940-012-0439—For transfer by the Controller from the Underground Storage Tank Cleanup Fund to the Underground Storage Tank Petroleum Contamination Orphan Site Cleanup Fund..... (20,000,000)

SEC. 262. Item 3940-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

1	3940-101-0001—For local assistance, State Water Resources	
2	Control Board.....	0
3	Schedule:	
4	(1) 10-Water Quality.....	12,500,000
5		42,500,000
6	(1.1) Amount payable from the School	
7	District Account, Underground Stor-	
8	age Tank Cleanup Fund (Item 3940-	
9	101-3134).....	-10,000,000
10	(1.2) Amount payable from the Under-	
11	ground Storage Tank Petroleum	
12	Contamination Orphan Site Cleanup	
13	Fund (Item 3940-101-3145).....	-20,000,000
14	(2) Amount payable from the State Water	
15	Pollution Control Revolving Fund Small	
16	Communities Community Grant Fund	
17	(Item 3940-101-3147).....	-1,000,000
18	(3) Amount payable from the Petroleum	
19	Underground Storage Tank Financing	
20	Account (Item 3940-101-8026).....	-11,500,000

22 SEC. 263. Item 3940-101-3134 is added to Section 2.00 of the
23 Budget Act of 2009, to read:

25	3940-101-3134—For local assistance, State Water Resources	
26	Control Board, for payment to Item 3940-101-0001,	
27	payable from the School District Account in the Under-	
28	ground Storage Tank Cleanup Fund	10,000,000

30 SEC. 264. Item 3940-101-3145 is added to Section 2.00 of the
31 Budget Act of 2009, to read:

33	3940-101-3145—For local assistance, State Water Resources	
34	Control Board, for payment to Item 3940-101-0001,	
35	payable from the Underground Storage Tank Petroleum	
36	Contamination Orphan Site Cleanup Fund.....	20,000,000

38 SEC. 265. Item 3940-496 is added to Section 2.00 of the Budget
39 Act of 2009, to read:

3940-496—*Reversion, State Water Resources Control Board.*

As of June 30, 2009, the unencumbered balances of the appropriations provided in the following citations shall revert to the balance of the fund from which the appropriations were made:

6029—*California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Fund*

(1) *\$646,000 or the unencumbered balance of funds appropriated by Chapter 727 of the Statutes of 2002, as reappropriated by Item 3940-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), corresponding to the following allocation:*

(1) Clean Beaches Program.....	78,000
(2) Small Community Wastewater Grant Program.....	14,000
(3) Urban Storm Water Grant Program.....	64,000
(4) Nonpoint Source Pollution Control Program.....	12,000
(5) Agricultural Water Quality Grant Program.....	8,000
(6) Small Community Groundwater Grant Program.....	186,000
(7) Integrated Watershed Management Plans: General.....	134,000
(8) Integrated Watershed Management Plans: Groundwater.....	150,000

6031—*Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002*

(1) *\$25,538,000 or the unencumbered balance of funds from Item 3940-101-6031, Budget Act of 2003 (Ch. 157, Stats. 2003), as reappropriated by Item 3940-491, Budget Act of 2004 (Ch. 208, Stats. 2004), from bond allocation:*

(1) 79540(a)-Clean Water and Water Quality.....	1,144,000
(2) 79543(1)-Santa Monica Bay Restoration.....	200,000
(3) 79543(1)-Santa Monica Bay Restoration.....	298,000

- 1 (4) 79564.1(a)(1)-Integrated Regional
- 2 Water Management Southern Cali-
- 3 fornia..... 12,102,000
- 4 (5) 79564.1(a)(2)-Integrated Regional
- 5 Water Management Northern Cali-
- 6 fornia..... 11,794,000
- 7 (2) \$78,000 or the unencumbered balance of funds from
- 8 Item 3940-001-6031, Budget Act of 2006 (Chs. 47 and
- 9 48, Stats. 2006), corresponding to the following allo-
- 10 cation:
- 11 (1) 79543-Coastal Water Quality..... 51,000
- 12 (2) 79564.1(a)(1)-Integrated Regional
- 13 Water Management Southern Cali-
- 14 fornia..... 5,000
- 15 (3) 79564.1(a)(2)-Integrated Regional
- 16 Water Management Northern Cali-
- 17 fornia..... 5,000
- 18 (4) 79550(g)-Urban and Agriculture
- 19 Water Conservation, Recycling, and
- 20 Other Water Use Efficiency..... 17,000
- 21 (3) \$858,000 or the unencumbered balance of funds from
- 22 Item 3940-001-6031, Budget Act of 2007, (Chs. 171
- 23 and 172, Stats. 2007), corresponding to the following
- 24 allocation:
- 25 (1) 79543-Coastal Water Quality..... 40,000
- 26 (2) 79543(1)-Santa Monica Bay
- 27 Restoration..... 588,000
- 28 (3) 79564.1(a)(1)-Integrated Regional
- 29 Water Management Southern Cali-
- 30 fornia..... 86,000
- 31 (4) 79564.1(a)(2)-Integrated Regional
- 32 Water Management Northern Cali-
- 33 fornia..... 86,000
- 34 (5) 79550(g)-Urban and Agriculture
- 35 Water Conservation, Recycling, and
- 36 Other Water Use Efficiency..... 58,000

37
38 SEC. 266. Item 3960-001-0001 of Section 2.00 of the Budget
39 Act of 2009 is amended to read:

3960-001-0001—For support of Department of Toxic Sub-
stances Control, for payment to Item 3960-001-0014..... *22,275,000*
18,258,000

Provisions:

1. The Director of Toxic Substances Control may expend from this item: ~~(a)~~ \$11,690,000 for the following activities at the federal Stringfellow Superfund site: ~~(1)~~ (a) operation and maintenance of pretreatment plants to treat contaminated groundwater extracted from the site, ~~(2)~~ (b) site maintenance and groundwater monitoring, and ~~(3)~~ (c) implementation of work to stabilize the site, and ~~(b)~~ \$3,112,000 for the operation of the ~~Illegal Drug Laboratory Removal Program~~.
2. Notwithstanding any other provision of law, the funds appropriated for removal and remedial action at the federal Stringfellow Superfund site shall be available for encumbrance for three fiscal years subsequent to the fiscal year in which the funds are appropriated, and disbursements in liquidation of encumbrances shall be pursuant to Section 16304.1 of the Government Code.
3. ~~Of the amount appropriated in this item, \$750,000 shall be used for the purposes of emergency response activity pursuant to Section 25354 of the Health and Safety Code, in lieu of the appropriation made pursuant to that section.~~
4. The amount appropriated in this item includes ~~\$5,462,000~~ \$6,568,000 for emergency response activities at the BKK Landfill. This appropriation is subject to the condition that, to the extent that funds are expended for purposes for which any private or public entity is or may be held financially liable, the Department of Toxic Substances Control shall take all reasonable actions to recover the amount of that expenditure from one or more of those entities, and that the amounts so recovered be paid to the General Fund in reimbursement of the amount of that expenditure. Additionally, those recovered funds shall be spent before funds from the General Fund, consistent with

- the language in any settlement agreements between the department and the potentially responsible parties.
5. As of June 30, ~~2009~~ 2010, or earlier, any unspent funds in Provision 4 shall revert to the General Fund if the Director of Toxic Substances Control and the Director of Finance agree that sufficient funds have been provided by the other potentially responsible parties.
 6. The Director of Toxic Substances Control shall send a letter notifying the chairpersons of the fiscal committees of each house of the Legislature that act on the department's budget and the Legislative Analyst's Office within 30 days of receiving any moneys from potentially responsible parties for the BKK Landfill.

SEC. 267. Item 3960-001-0014 of Section 2.00 of the Budget Act of 2009 is amended to read:

3960-001-0014—For support of Department of Toxic Substances Control, payable from the Hazardous Waste Control Account.....	50,290,000
Schedule:	
(1) 12-Site Mitigation and Brownfields Reuse.....	92,608,000
(2) 13-Hazardous Waste Management.....	65,141,000
(3) 19.01-Administration.....	33,198,000
(4) 19.02-Distributed Administration.....	-33,198,000
(5) 20-Science, Pollution Prevention and Technology.....	19,715,000
(6) 21-State Certified Unified Program.....	1,964,000
(7) Reimbursements.....	-12,869,000
(8) Amount payable from General Fund (Item 3960-001-0001).....	-22,275,000
	-18,258,000
(9) Amount payable from Unified Program Account (Item 3960-001-0028).....	-1,003,000
(10) Amount payable from Illegal Drug Lab Cleanup Account (Item 3960-001-0065).....	-2,018,000

1	(11) Amount payable from California Used	
2	Oil Recycling Fund (Item 3960-001-	
3	0100).....	-418,000
4	(12) Amount payable from Toxic Sub-	
5	stances Control Account (Item 3960-	
6	001-0557).....	-54,238,000
7		-58,255,000
8	(13) Amount payable from Federal Trust	
9	Fund (Item 3960-001-0890).....	-30,983,000
10	(14) Amount payable from Environmental	
11	Quality Assessment Fund (Item 3960-	
12	001-3035).....	-560,000
13	(15) Amount payable from Electronic Waste	
14	Recovery and Recycling Account (Item	
15	3960-001-3065).....	-2,810,000
16	(16) Amount payable from State Certified	
17	Unified Program Agency Account (Item	
18	3960-001-3084).....	-1,964,000
19	Provisions:	
20	1. Notwithstanding any other provision of law, upon ap-	
21	proval and order of the Director of Finance, the Depart-	
22	ment of Toxic Substances Control may borrow suffi-	
23	cient funds from special funds that otherwise provide	
24	support for the department for cashflow purposes. Any	
25	such loans are to be repaid with interest at the rate	
26	earned by the Pooled Money Investment Account.	
27	2. Notwithstanding any other provision of law, upon re-	
28	quest of the Director of Toxic Substances Control, and	
29	approval of the Department of Finance, the Controller	
30	shall increase the appropriation in this item in an	
31	amount necessary to pay the State Board of Equaliza-	
32	tion any additional costs the board may incur to make	
33	refunds required by Chapter 737 of the Statutes of	
34	1998, provided sufficient funds are available for such	
35	purposes and the board provides workload information	
36	that justifies the increase.	

37
38 *SEC. 268. Item 3960-001-0557 of Section 2.00 of the Budget*
39 *Act of 2009 is amended to read:*

3960-001-0557—For support of Department of Toxic Sub-	
stances Control, for payment to Item 3960-001-0014,	
payable from the Toxic Substances Control Account.....	54,238,000
	58,255,000

Provisions:

1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.
2. The amount appropriated in this item includes state oversight costs at military installations. The expenditure of these funds shall not relieve the federal government of the responsibility to pay for all state oversight costs. The Department of Toxic Substances Control shall take all steps necessary to recover these costs from the federal government, including, but not limited to, filing civil actions authorized by state and federal law.
3. *The Director of Toxic Substances Control may expend from this Item \$2,833,000 for the operation of the Illegal Drug Laboratory Removal Program.*
4. *Of the amount appropriated in this item, \$1,184,000 shall be used for the purposes of emergency response activity pursuant to Section 25354 of the Health and Safety Code in lieu of the appropriation made pursuant to that section.*

SEC. 269. Item 3980-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

3980-001-0001—For support of Office of Environmental Health	
Hazard Assessment.....	8,340,000
	2,543,000

Schedule:

- | | |
|--|------------|
| (1) 10-Health Risk Assessment..... | 19,809,000 |
| | 21,633,000 |
| (2) Reimbursements..... | -3,387,000 |
| (3) Amount payable from the Unified Program Account (Item 3980-001-0028).... | -141,000 |

1	(4) Amount payable from the Motor Vehicle	
2	Account, State Transportation Fund	
3	(Item 3980-001-0044).....	-2,557,000
4		-3,793,000
5	(5) Amount payable from the California	
6	Used Oil Recycling Fund (Item 3980-	
7	001-0100).....	-582,000
8	(6) Amount payable from the Department	
9	of Pesticide Regulation Fund (Item	
10	3980-001-0106).....	-1,026,000
11		-3,460,000
12	(6.5) Amount payable from the Air Pollution	
13	Control Fund (Item 3980-001-0115)....	-586,000
14	(7) Amount payable from the California	
15	Environmental License Plate Fund (Item	
16	3980-001-0140).....	-893,000
17	(7.5) Amount payable from the Fish and	
18	Game Preservation Fund (Item 3980-	
19	001-0200).....	-359,000
20	(8) Amount payable from the Oil Spill Pre-	
21	vention and Administration Fund (Item	
22	3980-001-0320).....	-125,000
23	(9) Amount payable from the Integrated	
24	Waste Management Account (Item	
25	3980-001-0387).....	-359,000
26	(10) Amount payable from the Toxic Sub-	
27	stances Control Account (Item 3980-	
28	001-0557).....	-558,000
29		-693,000
30	(11) Amount payable from the Federal Trust	
31	Fund (Item 3980-001-0890).....	-414,000
32	(12) Amount payable from the Safe Drinking	
33	Water and Toxic Enforcement Fund	
34	(Item 3980-001-3056).....	-1,427,000
35		-4,298,000
36		

37 SEC. 270. Item 3980-001-0044 of Section 2.00 of the Budget
 38 Act of 2009 is amended to read:

3980-001-0044—For support of Office of Environmental Health
Hazard Assessment, for payment to Item 3980-001-0001,
payable from the Motor Vehicle Account, State Transporta-
tion Fund..... 2,557,000
3,793,000

*SEC. 271. Item 3980-001-0106 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3980-001-0106—For support of Office of Environmental Health
Hazard Assessment, for payment to Item 3980-001-0001,
payable from the Department of Pesticide Regulation
Fund..... 1,026,000
3,460,000

*SEC. 272. Item 3980-001-0115 is added to Section 2.00 of the
Budget Act of 2009, to read:*

3980-001-0115—For support of Office of Environmental Health
Hazard Assessment, for payment to Item 3980-001-0001,
payable from the Air Pollution Control Fund 586,000

*SEC. 273. Item 3980-001-0200 is added to Section 2.00 of the
Budget Act of 2009, to read:*

3980-001-0200—For support of Office of Environmental Health
Hazard Assessment, for payment to Item 3980-001-0001,
payable from the Fish and Game Preservation Fund..... 359,000

*SEC. 274. Item 3980-001-0557 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3980-001-0557—For support of Office of Environmental Health
Hazard Assessment, for payment to Item 3980-001-0001,
payable from the Toxic Substances Control Account..... 558,000
693,000

*SEC. 275. Item 3980-001-3056 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

3980-001-3056—For support of Office of Environmental Health
Hazard Assessment, for payment to Item 3980-001-0001,
payable from the Safe Drinking Water and Toxic Enforce-
ment Fund..... ~~1,427,000~~
4,298,000

*SEC. 276. Item 4120-101-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

4120-101-0001—For local assistance, Emergency Medical
Services Authority, grants to local agencies..... ~~8,508,000~~
5,558,000

Schedule:

(1) 10-Emergency Medical Services Author-
ity..... ~~12,512,000~~
9,562,000
(2) Reimbursements..... -3,300,000
(3) Amount payable from the Federal Trust
Fund (Item 4120-101-0890)..... -704,000

Provisions:

1. The General Fund support for poison control centers shall augment, but not replace, local expenditures for existing poison control center services. These funds shall be used primarily to increase services to underserved counties and populations and for poison prevention and information services. The Director of the Emergency Medical Services Authority may contract with eligible poison control centers for the distribution of these funds.
2. The Emergency Medical Services Authority shall use the following guidelines in administering state-funded grants to local agencies: (a) funding eligibility shall be limited to rural multicounty regions that demonstrate a heavy use of the emergency medical services system by nonresidents, (b) local agencies shall provide matching funds of at least \$1 for each dollar of state funds received, (c) state funding shall be used to provide only essential minimum services necessary to operate the system, as defined by the authority, (d) no region shall receive both federal and state funds in the

same fiscal year for the same purpose, and (e) the Emergency Medical Services Authority shall monitor the use of the funds by recipients to ensure that these funds are used in an appropriate manner.

3. Each region shall be eligible to receive up to one-half of the total cost of a minimal system for that region, as defined by the Emergency Medical Services Authority. However, the authority may reallocate unclaimed funds among regions.

4. Notwithstanding Provision 2(b), each region with a population of 300,000 or less as of June 30, ~~2007~~ 2008, shall receive the full amount for which it is eligible if it provides a cash match of \$0.41 per capita or more. Failure to provide local cash contributions at the specified level shall result in a proportional reduction in state funding.

5. It is the intent of the Legislature that the Director of the Emergency Medical Services Authority provide assistance, when feasible, to poison control centers in seeking sources of funding other than General Fund support, including grants from health-related foundations, federal grants, and assistance from the California Children and Families Commission, or other relevant entities. It is also the intent of the Legislature that poison control centers assertively seek and obtain funding from foundations, private-sector entities, the federal government, and sources other than the General Fund.

SEC. 277. Item 4140-490 is added to Section 2.00 of the Budget Act of 2009, to read:

4140-490—Reappropriation, Office of Statewide Health Planning and Development. The balances of the appropriations provided in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2010:

3085—Mental Health Services Fund

(1) *Item 4140-001-3085, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

SEC. 278. Item 4170-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4170-001-0001—For support of Department of Aging.....	4,227,000
Schedule:	
(1) 10-Nutrition.....	3,008,000
(2) 20-Senior Community Employment Service.....	697,000
(3) 30-Supportive Services and Centers.....	4,863,000
(4) 40-Special Projects.....	8,270,000 8,680,000
(5) 50.01-Administration.....	14,412,000
(6) 50.02-Distributed Administration.....	-14,412,000
(7) Reimbursements.....	-4,113,000
(8) Amount payable from the State HICAP Fund (Item 4170-001-0289).....	-223,000
(9) Amount payable from the Federal Trust Fund (Item 4170-001-0890).....	-8,153,000 -8,563,000
(10) Amount payable from the Federal Citation Penalties Account, Special Deposit Fund (Item 4170-003-0942).....	-122,000

SEC. 279. Item 4170-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4170-001-0890—For support of Department of Aging, for payment to Item 4170-001-0001, payable from the Federal Trust Fund.....	8,153,000 8,563,000
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Provisions:

1. The Department of Finance may authorize the transfer of funds between this item and Item 4170-101-0890 no sooner than 30 days after written notification to the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or not sooner than

whatever lesser time the Chairperson of the Joint Legislative Budget Committee may determine. The notification shall include: (a) the amount of the proposed transfer, (b) an identification of the purposes for which the funds will be used, (c) documentation that the proposed activities must be carried out in the current year and that no other funds are available for their support, and (d) the impact of any transfer on the level of services.

SEC. 280. Item 4170-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4170-101-0890—For local assistance, Department of Aging,	
for payment to Item 4170-101-0001, payable from the	
Federal Trust Fund.....	142,000,000
	<i>150,016,000</i>

Provisions:

1. Provision 1 of Item 4170-001-0890 is also applicable to this item.
2. Notwithstanding subdivision (e) of Section 28.00, the Department of Finance, upon notification by the California Department of Aging, may authorize augmentations in this item for federal Title III, Title VII, HICAP one-time only allocations, and for unexpended 2008–09 federal grant funds. *The Department of Finance shall provide notification of the augmentation to the Joint Legislative Budget Committee within 10 working days from the date of the Department of Finance approval of the adjustment.*
3. Notwithstanding Section 26.00, the Department of Finance, upon notification by the California Department of Aging, may authorize transfers between Program 10-Nutrition and Program 30-Supportive Services and Centers in response to budget revisions submitted by the Area Agencies on Aging.
4. *Unspent federal stimulus funds authorized in the American Recovery and Reinvestment Act of 2009 (P.L. 111-5) for Nutrition and Senior Community Services Employment Programs, budgeted in the*

2008–09 and 2009–10 fiscal years, are available for encumbrance or expenditure through September 30, 2010.

SEC. 281. Item 4200-001-0367 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-001-0367—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-3146, payable from the Indian Gaming Special Distribution Fund.....	4,241,000
	4,250,000

SEC. 282. Item 4200-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-001-0890—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-3146, payable from the Federal Trust Fund.....	23,823,000
	23,979,000

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer funds as necessary between this item and Item 4200-101-0890. In determining which transfers are necessary pursuant to this provision, the department shall assess those programs and operations that have the most critical need. In making this assessment, the department shall consider such factors as caseload requirements, availability of personnel to provide essential services, other funding sources, and relevant information provided by affected state agencies.

SEC. 283. Item 4200-001-3019 of Section 2.00 of the Budget Act of 2009 is repealed.

4200-001-3019—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-3146, payable from the Substance Abuse Treatment Trust Fund.....	3,171,000
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Provisions:

~~1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for administration pursuant to Section 11999.6 of the Health and Safety Code.~~

SEC. 284. Item 4200-001-3113 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-001-3113—For support of Department of Alcohol and Drug Programs, for payment to Item 4200-001-3146, payable from the Residential and Outpatient Program Licensing Fund.....	3,219,000
	3,816,000

SEC. 285. Item 4200-001-3146 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-001-3146—For support of Department of Alcohol and Drug Programs, payable from the Drug and Alcohol Prevention and Treatment Fund.....	0
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Schedule:

(1) 15-Alcohol and Other Drug Services Program.....	48,250,000
	45,515,000
(2) 30.01-Administration.....	11,711,000
	11,711,000
(3) 30.02-Distributed Administration.....	-11,711,000
(4) Reimbursements.....	-5,227,000
	-5,319,000
(4.5) Amount payable from the General Fund (Item 4200-001-0001).....	-5,082,000
	-4,664,000
(5) Amount payable from the Driving-Under-the-Influence Program Licensing Trust Fund (Item 4200-001-0139).....	-1,613,000
(6) Amount payable from the Narcotic Treatment Program Licensing Trust Fund (Item 4200-001-0243).....	-1,367,000

1	(7) Amount payable from Indian Gaming	
2	Special Distribution Fund (Item 4200-	
3	001-0367).....	-4,241,000
4		-4,250,000
5	(8) Amount payable from the Audit Repay-	
6	ment Trust Fund (Item 4200-001-	
7	0816).....	-69,000
8	(9) Amount payable from the Federal Trust	
9	Fund (Item 4200-001-0890).....	-23,823,000
10		-23,979,000
11	(10) Amount payable from the Substance	
12	Abuse Treatment Trust Fund (Item	
13	4200-001-3019).....	-3,171,000
14	(11) Amount payable from the Mental	
15	Health Services Fund (Item 4200-001-	
16	3085).....	-288,000
17	(12) Amount payable from the Gambling	
18	Addiction Program Fund (Item 4200-	
19	001-3110).....	-150,000
20	(13) Amount payable from Residential and	
21	Outpatient Program Licensing Fund	
22	(Item 4200-001-3113).....	-3,219,000
23		-3,816,000

Provisions:

1. Upon approval by the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Items 4200-101-3146, 4200-102-3146, 4200-103-3146, and 4200-104-3146. In determining which transfers are necessary pursuant to this provision, the department shall assess those programs and operations that have the most critical need. In making the assessment, the department shall consider such factors as caseload requirements, availability of personnel to provide essential services, other funding sources, and relevant information provided by affected state agencies.

SEC. 286. Item 4200-101-3019 of Section 2.00 of the Budget Act of 2009 is repealed.

4200-101-3019—For local assistance, Department of Alcohol
and Drug Programs, for payment to Item 4200-101-3146,
payable from the Substance Abuse Treatment Fund..... 86,863,000

Provisions:

1. Funds appropriated in this item are in lieu of the
amounts that otherwise would have been appropriated
for local assistance pursuant to Section 11999.6 of the
Health and Safety Code.

*SEC. 287. Item 4200-101-3146 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

4200-101-3146—For local assistance, Department of Alcohol
and Drug Programs, payable from the Drug and Alcohol
Prevention and Treatment Fund..... 0

Schedule:

- (1) 15-Alcohol and Other Drug Services
Program..... 420,254,000
382,791,000
- (2) Reimbursements..... -10,807,000
-60,207,000
- (2.1) Amount payable from the General
Fund (Item 4200-101-0001)..... -83,665,000
- (2.5) Amount payable from the Indian
Gaming Special Distribution Fund
(Item 4200-101-0367)..... -4,000,000
- (3) Amount payable from the Federal
Trust Fund (Item 4200-101-0890)..... -234,919,000
- (4) Amount payable from the Substance
Abuse Treatment Fund (Item 4200-
101-3019)..... -86,863,000

Provisions:

1. Upon approval by the Department of Finance, the
Controller shall transfer such funds as are necessary
between this item and Items 4200-001-3146, 4200-
102-3146, 4200-103-3146, and 4200-104-3146. In
determining which transfers are necessary pursuant to
this provision, the department shall assess those pro-
grams and operations that have the most critical need.

In making this assessment, the department shall consider such factors as caseload requirements, availability of personnel to provide essential services, other funding sources, and relevant information provided by affected state agencies.

2. Upon approval by the Department of Finance, one or more short-term loans not to exceed a cumulative total of \$59,745,000 may be made available from the General Fund when there is a delay in the allocation of federal Substance Abuse Prevention and Treatment (SAPT) Block Grant funds to California. Each loan shall be repaid, with interest calculated pursuant to subdivision (a) of Section 16314 of the Government Code, upon receipt of the federal SAPT Block Grant.

SEC. 288. Item 4200-102-3146 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-102-3146—For local assistance, Department of Alcohol and Drug Programs, payable from the Drug and Alcohol Prevention and Treatment Fund, for perinatal substance abuse treatment programs (Drug Medi-Cal).....	0
Schedule:	
(1) 15-Alcohol and Other Drug Services	
Program.....	7,732,000
	5,714,000
(2) Reimbursements.....	-3,866,000
	-3,519,000
(3) Amount payable from the General Fund	
(Item 4200-102-0001).....	-3,866,000
	-2,195,000

Provisions:

1. Upon approval by the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Items 4200-001-3146, 4200-101-3146, 4200-103-3146, and 4200-104-3146. In determining which transfers are necessary pursuant to this provision, the department shall assess those programs and operations that have the most critical need.

In making this assessment, the department shall con-

sider such factors as caseload requirements, availability of personnel to provide essential services, other funding sources, and relevant information provided by affected state agencies.

2. The funds appropriated in this item are available to provide funding for the state's share of expenditures for perinatal substance abuse services provided to persons eligible for Medi-Cal.

3. Notwithstanding subdivision (a) of Section 1.80 and Section 26.00, the Department of Finance may authorize a transfer of expenditure authority between this item and Item 4200-103-3146, so that the funds appropriated in either item may be used to pay the state and federal share of prior fiscal years' allowable Medi-Cal costs that exceed the amount encumbered in prior fiscal years. The department shall notify the Legislature within 10 days after authorizing a transfer pursuant to this provision unless prior notification of the transfer has been included in the Medi-Cal estimates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code.

SEC. 289. Item 4200-103-3146 of Section 2.00 of the Budget Act of 2009 is amended to read:

4200-103-3146—For local assistance, Department of Alcohol and Drug Programs, payable from the Drug and Alcohol Prevention and Treatment Fund, for Drug Medi-Cal Services.....	0
Schedule:	
(1) 15-Alcohol and Other Drug Services Program.....	205,183,000
	189,087,000
(2) Reimbursements.....	-98,277,000
	-112,018,000
(3) Amount payable from the General Fund (Item 4200-103-0001).....	-106,906,000
	-77,069,000

Provisions:

1. Upon approval by the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Items 4200-001-3146, 4200-101-3146, 4200-102-3146, and 4200-104-3146. In determining which transfers are necessary pursuant to this provision, the department shall assess those programs and operations that have the most critical need. In making this assessment, the department shall consider such factors as caseload requirements, availability of personnel to provide essential services, other funding sources, and relevant information provided by affected state agencies.
2. The funds appropriated in this item are available to provide funding for the state's share of expenditures for substance abuse services provided to persons eligible for Medi-Cal.
3. Notwithstanding subdivision (a) of Section 1.80 and Section 26.00, the Department of Finance may authorize a transfer of expenditure authority between this item and Item 4200-102-3146 so that the funds appropriated in either item may be used to pay the state and federal share of prior fiscal years' allowable Medi-Cal costs that exceed the amount encumbered in prior fiscal years. The department shall notify the Legislature within 10 days after authorizing a transfer pursuant to this provision unless prior notification of the transfer has been included in the Medi-Cal estimates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code.
4. Notwithstanding any other provision of law, both the federal and nonfederal shares of any moneys recovered for previously paid Drug Medi-Cal program services provided pursuant to Chapter 7 (commencing with Section 14000) of Part 3 of Division 9 of the Welfare and Institutions Code are hereby appropriated and shall be expended as soon as practicable for Drug Medi-Cal program services, as defined in the Welfare and Institutions Code.

SEC. 290. Item 4200-105-0001 of Section 2.00 of the Budget Act of 2009 is repealed.

4200-105-0001—For transfer, as an expenditure, upon order of the Department of Finance, to the Substance Abuse Treatment Trust Fund..... 90,034,000

Provisions:

1. The amount of the transfer may be modified by the Department of Finance to accommodate administrative and workload adjustments.

SEC. 291. Item 4260-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-001-0001—For support of Department of Health Care Services..... 134,563,000

135,071,000

Schedule:

(1) 20-Health Care Services..... 387,240,000

389,070,000

(2) 30.01-Administration..... 26,053,000

(3) 30.02-Distributed Administration..... -26,555,000

(4) Reimbursements..... -21,204,000

-21,244,000

(5) Amount payable from the Breast Cancer Control Account (Item 4260-001-0009)..... -95,000

(6) Amount payable from the Childhood Lead Poisoning Prevention Fund (Item 4260-001-0080)..... -151,000

(7) Amount payable from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund (Item 4260-001-0236)..... -741,000

-541,000

(8) Amount payable from the Federal Trust Fund (Item 4260-001-0890)..... -228,992,000

-230,474,000

(9) Amount payable from the Mental Health Services Fund (Item 4260-001-3085).... -992,000

Provisions:

1. Effective February 1, 2009, the State Department of Health Care Services shall report biennially in writing on the results of the additional positions established under the 2003 Medi-Cal Anti-Fraud Initiative to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee. The report shall include the results of the most recently completed biennial error rate study and random claim sampling process, the number of positions filled by division, and, for each of the components of the initiative, the amount of savings and cost avoidance achieved and estimated, the number of providers sanctioned, and the number of claims and beneficiary records reviewed.
2. Of the funds appropriated for new information technology projects, no funds may be expended on a project prior to approval of a feasibility study report concerning that project by the office of the State Chief Information Officer. The State Department of Health Care Services shall notify the fiscal committees of both houses of the Legislature that a feasibility study report has been approved for a project within 30 days of the report's approval by the office of the State Chief Information Officer, and shall include with the notification a copy of the approved feasibility study report that reflects any changes.

SEC. 292. Item 4260-001-0236 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-001-0236—For support of Department of Health Care Services, for payment to Item 4260-001-0001, payable from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund.....	741,000
	541,000

SEC. 293. Item 4260-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-001-0890—For support of Department of Health Care
Services, for payment to Item 4260-001-0001, payable
from the Federal Trust Fund..... 228,992,000
230,474,000

Provisions:

1. Of the funds appropriated in this item, \$1,069,000 shall be available for administration, research, and training projects. Notwithstanding Section 28.00, the State Department of Health Care Services shall report under that section any new project over \$200,000 or any increase in excess of \$400,000 for an identified project.

SEC. 294. Item 4260-101-0080 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-101-0080—For local assistance, Department of Health
Care Services, for payment to Item 4260-101-0001,
payable from the Childhood Lead Poisoning Prevention
Fund..... 160,000
115,000

SEC. 295. Item 4260-101-0232 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-101-0232—For local assistance, Department of Health
Care Services, for payment to Item 4260-101-0001,
payable from the Hospital Services Account, Cigarette
and Tobacco Products Surtax Fund..... 23,559,000
95,078,000

SEC. 296. Item 4260-101-0236 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4260-101-0236—For local assistance, Department of Health
Care Services, for payment to Item 4260-101-0001, payable
from the Unallocated Services Account, Cigarette and To-
bacco Products Surtax Fund..... 21,519,000~~

SEC. 297. Item 4260-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-101-0890—For local assistance, Department of Health Care Services, for payment to Item 4260-101-0001, payable from the Federal Trust Fund.....	22,440,653,000
	26,620,577,000

Provisions:

- Any of the provisions in Item 4260-101-0001 that are relevant to this item also apply to this item.

SEC. 298. Item 4260-102-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-102-0001—For local assistance, Department of Health Care Services, Program 20.10.030-Benefits (Medical Care and Services), for supplemental reimbursement for debt service pursuant to Section 14085.5 of the Welfare and Institutions Code.....	51,604,000
	54,198,000

Provisions:

- Notwithstanding any other provision of law, the Department of Finance may authorize transfer of expenditure authority between this item and Items 4260-101-0001, 4260-111-0001, 4260-113-0001, and 4260-117-0001 in order to effectively administer the programs funded in these items. The Department of Finance shall notify the Legislature within 10 days of authorizing such a transfer unless prior notification of the transfer has been included in the Medi-Cal estimates submitted pursuant to Section 14100.5 of the Welfare and Institutions Code. The 10-day notification to the Legislature shall include the reasons for the transfer, the fiscal assumptions used in calculating the transfer amount, and any potential effects on the program from which funds are being transferred or reduced.

SEC. 299. Item 4260-102-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-102-0890—For local assistance, Department of Health
Care Services, Program 20.10.030-Benefits (Medical Care
and Services), payable from the Federal Trust Fund, for
supplemental reimbursement for debt service pursuant to
Section 14085.5 of the Welfare and Institutions Code..... 51,604,000
54,198,000

Provisions:

1. Any of the provisions in Item 4260-102-0001 that are
relevant to this item also apply to this item.

*SEC. 300. Item 4260-106-0890 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

4260-106-0890—For local assistance, Department of Health
Care Services, Program 20.10.030-Benefits (Medical Care
and Services), payable from the Federal Trust Fund..... 12,365,000
14,708,000

*SEC. 301. Item 4260-111-0080 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

4260-111-0080—For local assistance, Department of Health
Care Services, for payment to Item 4260-111-0001,
payable from the Childhood Lead Poisoning Prevention
Fund..... 11,000
8,000

*SEC. 302. Item 4260-111-0233 of Section 2.00 of the Budget
Act of 2009 is repealed.*

~~4260-111-0233—For local assistance, Department of Health
Care Services, for payment to Item 4260-111-0001, payable
from the Physician Services Account, Cigarette and Tobacco
Products Surtax Fund..... 774,000~~

*SEC. 303. Item 4260-111-0236 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

SEC. 304. Item 4260-111-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

Provisions:

1. Of the funds appropriated in this item, \$408,000 shall be available for administration, research, and training projects. Notwithstanding Section 28.00, the State Department of Health Care Services shall report under that section any new project over \$200,000 or any increase in excess of \$400,000 for an identified project.
2. Any of the provisions in Item 4260-111-0001 that are relevant to this item also apply to this item.

SEC. 305. Item 4260-113-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

Provisions:

1. Any of the provisions in Item 4260-113-0001 that are relevant to this item also apply to this item.

SEC. 306. Item 4260-117-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

1	4260-117-0001—For local assistance, Department of Health	
2	Care Services, for implementation of the Health Insurance	
3	Portability and Accountability Act.....	3,667,000
4		4,187,000
5	Schedule:	
6	(1) 20.10.010-Eligibility (County Adminis-	
7	tration).....	4,732,000
8	(2) 20.10.020-Fiscal Intermediary Manage-	
9	ment.....	14,207,000
10		16,076,000
11	(3) Amount payable from the Federal Trust	
12	Fund (Item 4260-117-0890).....	-15,272,000
13		-16,621,000
14	Provisions:	
15	1. The funding appropriated in this item is limited to the	
16	amount specified in Section 17.00. These funds are to	
17	be used in support of compliance activities related to	
18	the federal Health Insurance Portability and Account-	
19	ability Act (HIPAA) of 1996.	
20	2. Notwithstanding subdivision (a) of Section 1.80 and	
21	Section 26.00, the Department of Finance may autho-	
22	rize transfer of expenditure authority between Sched-	
23	ules (1) and (2). The Department of Finance shall no-	
24	tify the Legislature within 10 days of authorizing such	
25	transfer unless prior notification of the transfer has	
26	been included in the Medi-Cal estimates submitted	
27	pursuant to Section 14100.5 of the Welfare and Insti-	
28	tutions Code.	
29	3. Notwithstanding any other provision of law, the De-	
30	partment of Finance may authorize the transfer of ex-	
31	penditure authority between this item and Items 4260-	
32	101-0001, 4260-102-0001, 4260-111-0001, and 4260-	
33	113-0001 in order to effectively administer the pro-	
34	grams funded in these items. The Department of Fi-	
35	nance shall notify the Legislature within 10 days of	
36	authorizing such transfer unless prior notification of	
37	the transfer has been included in the Medi-Cal esti-	
38	mates submitted pursuant to Section 14100.5 of the	
39	Welfare and Institutions Code. The 10-day notification	
40	to the Legislature shall include the reasons for the	

transfer, the fiscal assumptions used in calculating the transfer amount, and any potential fiscal effects on the program from which funds are being transferred or reduced.

SEC. 307. Item 4260-117-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4260-117-0890—For local assistance, Department of Health Care Services, for payment to Item 4260-117-0001, payable from the Federal Trust Fund, for implementation of the Health Insurance Portability and Accountability Act..... ~~15,272,000~~
16,621,000

Provisions:

1. The funding appropriated in this item is limited to the amount specified in Section 17.00. These funds are to be used in support of compliance activities related to the federal Health Insurance Portability and Accountability Act (HIPAA) of 1996.
2. Any of the provisions in Item 4260-117-0001 that are relevant to this item also apply to this item.

SEC. 308. Item 4260-495 is added to Section 2.00 of the Budget Act of 2009, to read:

4260-495—*Reversion, Department of Health Care Services. As of June 30, 2009, the balances of the appropriations provided for in the following citations shall revert to the funds from which the appropriations were made:*

0001—General Fund

(1) Item 4260-001-0001, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008). Funds appropriated for the National Cooperative Bank Development Corporation Contract within the Assisted Living Waiver Pilot Project

0890—Federal Trust Fund

(1) Item 4260-001-0890, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008). Funds appropriated for the National Cooperative Bank Development Corporation

Contract within the Assisted Living Waiver Pilot Project

SEC. 309. Item 4265-001-0070 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-001-0070—For support of Department of Public Health, for payment to Item 4265-001-0001, payable from the Occupational Lead Poisoning Prevention Account.....	2,741,000
	3,241,000

Provisions:

1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

SEC. 310. Item 4265-001-0099 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-001-0099—For support of Department of Public Health, for payment to Item 4265-001-0001, payable from the Health Statistics Special Fund.....	23,974,000
	23,762,000

SEC. 311. Item 4265-001-0203 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-001-0203—For support of Department of Public Health, for payment to Item 4265-001-0001, payable from the Genetic Disease Testing Fund.....	18,043,000
	18,480,000

SEC. 312. Item 4265-001-0234 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-001-0234—For support of Department of Public Health, for payment to Item 4265-001-0001, payable from the Research Account, Cigarette and Tobacco Products Surtax Fund.....	5,840,000
	5,267,000

SEC. 313. Item 4265-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-001-0890—For support of Department of Public Health, for payment to Item 4265-001-0001, payable from the Federal Trust Fund.....	217,659,000
	219,476,000

Provisions:

1. Of the funds appropriated in this item, \$52,612,000 shall be available for administration, research, and training projects. Notwithstanding Section 28.00, the State Department of Public Health shall report under that section any new project over \$200,000 or any increase in excess of \$400,000 for an identified project.
2. The Department of Finance may authorize the transfer of expenditure authority from this item to Item 4265-111-0890 in order to reflect modifications in the use of federal bioterrorism grants. Transfers pursuant to this provision may not be approved sooner than 30 days after notification in writing is provided to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, or no sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine.
3. Notwithstanding any other provision of law, federal moneys made available for bioterrorism preparedness pursuant to this act shall be available for expenditure or encumbrance until August 30, 2010.
4. The State Department of Public Health shall notify the fiscal and relevant policy committees of the Legislature in a timely manner regarding the federal government's approval of the state's application for cooperative agreement for funding from the federal Centers for Disease Control and Prevention's Public Health Preparedness and Response to Bioterrorism Program. The notification shall include a summary of all policy and fiscal changes made by the federal government to

the state's application. If additional changes are made throughout the fiscal year, the department shall notify the fiscal and relevant policy committees of the Legislature in a similar manner.

SEC. 314. Item 4265-001-3098 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-001-3098—For support of Department of Public Health, for payment to Item 4265-001-0001, payable from the State Department of Public Health Licensing and Certification Program Fund.....	88,729,000
	90,202,000

SEC. 315. Item 4265-111-0009 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-111-0009—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Breast Cancer Control Account.....	10,736,000
	24,536,000

Provisions:

- 1. Of the amount appropriated in this item, up to \$6,300,000 shall be available for costs and claims incurred in the 2008–09 fiscal year.*

SEC. 316. Item 4265-111-0231 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-111-0231—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund.....	47,354,000
	54,154,000

SEC. 317. Item 4265-111-0232 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4265-111-0232—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund..... 21,106,000~~

SEC. 318. Item 4265-111-0233 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4265-111-0233—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Physician Services Account, Cigarette and Tobacco Products Surtax Fund..... 3,470,000~~

SEC. 319. Item 4265-111-0236 of Section 2.00 of the Budget Act of 2009 is amended to read:

~~4265-111-0236—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Unallocated Account, Cigarette and Tobacco Products Surtax Fund..... 29,302,000
23,340,000~~

SEC. 320. Item 4265-111-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

~~4265-111-0890—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Federal Trust Fund..... 1,310,207,000
1,375,555,000~~

Provisions:

1. Of the funds appropriated in this item, \$61,868,000 shall be available for administration, research, and training projects. Notwithstanding the provisions of Section 28.00, the State Department of Public Health shall report under that section any new project over \$200,000 or any increase in excess of \$400,000 for an identified project.
2. Notwithstanding any other provision of law, federal moneys made available for bioterrorism preparedness

pursuant to this act shall be available for expenditure
or encumbrance until August 30, 2010.

3. Any provisions in Item 4265-111-0001 that are relevant to this item shall apply to this item.

SEC. 321. Item 4265-111-6031 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-111-6031—For local assistance, Department of Public Health, for payment to Item 4265-111-0001, payable from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002.....	2,558,000
	167,229,000

Provisions:

1. The amount appropriated in this item shall be available for expenditure until June 30, 2012.

SEC. 322. Item 4265-111-6051 of Section 2.00 of the Budget Act of 2009 is repealed.

4265-111-6051—For local assistance, State Department of Public Health, for payment to Item 4265-111-0001, payable from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Fund of 2006.....	36,200,000
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~~Provisions:~~

- ~~1. The amount appropriated in this item shall be available for expenditure until June 30, 2012.~~

SEC. 323. Item 4265-115-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-115-0890—For transfer by the Controller from the Federal Trust Fund to the Safe Drinking Water State Revolving Loan Fund.....	77,500,000
	152,405,000

Provisions:

1. The amount appropriated in this item shall be available for transfer until June 30, 2012.

4265-115-6031—For transfer by the Controller from the Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002 to the Safe Drinking Water State Revolving Loan Fund.....	17,000,000
	32,499,000

4265-116-0890—For transfer by the Controller to various federal funds.....	(10,114,000)
	(15,264,000)

4265-301-0001—For capital outlay, Department of Public Health.....	3,117,000
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Schedule:

(1) ~~94.65.010—Upgrade Viral and Rickettsial
Disease Laboratory, Richmond—Con-
struction.....~~ 3,117,000

SEC. 327. Item 4265-401 of Section 2.00 of the Budget Act of 2009 is amended to read:

4265-401—Notwithstanding Provision 2 of Item 4260-011-0099 of the Budget Act of 2004 (Ch. 208, Stats. 2004) and Provision 1 of Item 4260-011-0099 of the Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), the \$1,500,000 loan authorized to the Medical Marijuana Program Fund shall be fully repaid to the Health Statistics Special Fund by June 30, 2012, with interest calculated at the rate earned by the Pooled Money Investment Account at the time of the loan.

SEC. 328. Item 4265-495 is added to Section 2.00 of the Budget Act of 2009, to read:

4265-495—Reversion, Department of Public Health. As of June 30, 2009, the unencumbered balances of the appropriations provided in the following citations shall revert to the fund balance of the fund from which the appropriations were made:

6031—Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002

(1) Item 4260-111-6031, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 4260-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and Item 4265-492, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(2) Item 4260-111-6031, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 4265-492, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(3) Item 4265-111-6031, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(4) Item 4265-111-6031, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

- 1 (5) *Item 4260-115-6031, Budget Act of 2005 (Chs. 38 and*
2 *39, Stats. 2005), as reappropriated by Item 4260-491,*
3 *Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and*
4 *Item 4265-492, Budget Act of 2007 (Chs. 171 and 172,*
5 *Stats. 2007)*
6 (6) *Item 4260-115-6031, Budget Act of 2006 (Chs. 47 and*
7 *48, Stats. 2006), as reappropriated by Item 4265-492,*
8 *Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)*
9 (7) *Item 4265-115-6031, Budget Act of 2007 (Chs. 171*
10 *and 172, Stats. 2007)*
11 (8) *Item 4265-115-6031, Budget Act of 2008 (Chs. 268*
12 *and 269, Stats. 2008)*
13

14 *SEC. 329. Item 4265-496 is added to Section 2.00 of the Budget*
15 *Act of 2009, to read:*
16

17 *4265-496—Reversion, Department of Public Health. As of June*
18 *30, 2009, the balances specified below of the appropri-*
19 *ations provided in the following citations shall revert to the*
20 *balance in the fund from which the appropriations were*
21 *made:*

- 22 *6051—Safe Drinking Water, Water Quality and Supply,*
23 *Flood Control, River and Coastal Protection Fund of 2006*
24 (1) *Item 4265-111-6051, Budget Act of 2007 (Chs. 171*
25 *and 172, Stats. 2007), up to \$35,600,000 appropriated*
26 *in Program 20.60-Environmental Health*
27

28 *SEC. 330. Item 4265-497 is added to Section 2.00 of the Budget*
29 *Act of 2009, to read:*
30

31 *4265-497—Reversion, Department of Public Health. As of June*
32 *30, 2009, the unencumbered balances of the appropriations*
33 *provided in the following citations shall revert to the fund*
34 *balance from which the appropriations were made:*

- 35 *0009—Breast Cancer Control Account*
36 (1) *Item 4265-001-0009, Budget Act of 2007 (Chs. 171*
37 *and 172, Stats. 2007)*
38 (2) *Item 4265-111-0009, Budget Act of 2007 (Chs. 171*
39 *and 172, Stats. 2007)*
40

SEC. 331. Item 4270-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4270-001-0001—For support of California Medical Assistance Commission.....	1,293,000
Schedule:	
(1) 10-California Medical Assistance Commission.....	2,557,000
	2,586,000
(2) Reimbursements.....	-1,264,000
	-1,293,000

SEC. 332. Item 4280-101-0236 of Section 2.00 of the Budget Act of 2009 is repealed.

4280-101-0236—For local assistance, Managed Risk Medical Insurance Board, for the Healthy Families Program.....	175,000
Schedule:	
(1) 40-Healthy Families Program.....	175,000

SEC. 333. Item 4280-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4280-101-0890—For local assistance, Managed Risk Medical Insurance Board, for payment to Item 4280-101-0001, payable from the Federal Trust Fund, for the Healthy Families Program.....	751,191,000
	700,472,000
Provisions:	
1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4280-102-0890 in order to effectively administer the Healthy Families Program.	

SEC. 334. Item 4280-102-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4280-102-0890—For local assistance, Managed Risk Medical Insurance Board, for payment to Item 4280-102-0001, payable from the Federal Trust Fund, for Healthy Families Program administrative contracts..... 40,534,000
36,212,000

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4280-101-0890 in order to effectively administer the Healthy Families Program.

SEC. 335. Item 4280-103-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4280-103-0890—For local assistance, Managed Risk Medical Insurance Board, for payment to Item 4280-103-3055, payable from the Federal Trust Fund, for the County Health Initiative Matching Fund Program..... 1,247,000
1,039,000

Provisions:

1. Provisions 1, 2, and 3 of Item 4280-103-3055 also apply to this item.

SEC. 336. Item 4280-103-3055 of Section 2.00 of the Budget Act of 2009 is amended to read:

4280-103-3055—For local assistance, Managed Risk Medical Insurance Board, for the County Health Initiative Matching Fund Program..... 672,000
559,000

Schedule:

- (1) 50-County Health Initiative Matching Fund Program..... 1,919,000
1,598,000
- (2) Amount payable from the Federal Trust Fund (Item 4280-103-0890)..... -1,247,000
-1,039,000

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary be-

tween this item and Item 4280-003-0890 or Item 4280-003-3055 in order to effectively administer the County Health Initiative Matching Fund program. The Department of Finance may also authorize the establishment of positions in order to allow the Managed Risk Medical Insurance Board to effectively administer the County Health Initiative Matching Fund program.

2. Funds in this item are subject to the availability, as determined by the Department of Finance, of federal State Children's Health Insurance Program funds not needed for state-funded health programs, including, but not limited to, the Healthy Families Program and, as funded by the federal State Children's Health Insurance Program, the Access for Infants and Mothers Program, and the Medi-Cal program. To determine the availability of funds, all entities participating in the County Health Initiative Matching Fund program, as a condition of receiving funds, shall submit, on or before August 1 and February 1 of each year, an estimate of expenditures under this item to the Managed Risk Medical Insurance Board. The Managed Risk Medical Insurance Board shall reflect this information in the November and May estimates provided to the Department of Finance.

3. To provide for the effective use of federal State Children's Health Insurance Program funds in the County Health Initiative Matching Fund program and notwithstanding Section 28.00, this item may be reduced or increased by the Department of Finance not sooner than 30 days after notification in writing to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, or such lesser time as the chairperson of the joint committee, or his or her designee, may in each instance determine.

SEC. 337. Item 4280-104-0236 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4280-104-0236—For local assistance, Managed Risk Medical Insurance Board, for the Healthy Families Program Rural Health Demonstration Project..... 729,000~~

~~Schedule:~~

~~(1) 40-Healthy Families Program..... 2,083,000~~

~~(2) Amount payable from Federal Trust Fund (Item 4280-104-0890)..... -1,354,000~~

SEC. 338. Item 4280-104-0890 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4280-104-0890—For local assistance, Managed Risk Medical Insurance Board, for payment to Item 4280-104-0236, payable from the Federal Trust Fund, for the Healthy Families Program Rural Health Demonstration Project.... 1,354,000~~

SEC. 339. Item 4280-111-0232 of Section 2.00 of the Budget Act of 2009 is repealed.

~~4280-111-0232—For transfer by the Controller from the Hospital Services Account, Cigarette and Tobacco Products Surtax Fund to the Perinatal Insurance Fund, for the Access for Infants and Mothers Program..... (44,035,000)~~

~~Provisions:~~

~~1. In order to effectively administer the Access for Infants and Mothers Program, the Department of Finance may decrease or increase this item in order to conform the appropriation to revised subvention estimates.~~

SEC. 340. Item 4280-111-0233 of Section 2.00 of the Budget Act of 2009 is amended to read:

~~4280-111-0233—For transfer by the Controller from the Physician Services Account, Cigarette and Tobacco Products Surtax Fund to the Perinatal Insurance Fund, for the Access for Infants and Mothers Program..... (12,770,000)~~

~~(4,819,000)~~

~~Provisions:~~

~~1. In order to effectively administer the Access for Infants and Mothers Program, the Department of Finance may~~

decrease or increase this item in order to conform the
appropriation to revised subvention estimates.

*SEC. 341. Item 4280-111-0236 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

4280-111-0236—For transfer by the Controller from the Unal-
located Account, Cigarette and Tobacco Products Surtax
Fund to the Perinatal Insurance Fund, for the Access for
Infants and Mothers Program..... ~~(904,000)~~
(19,447,000)

Provisions:

1. In order to effectively administer the Access for Infants
and Mothers Program, the Department of Finance may
decrease or increase this item in order to conform the
appropriation to revised subvention estimates.

*SEC. 342. Item 4280-112-0232 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

4280-112-0232—For transfer by the Controller from the Hos-
pital Services Account, Cigarette and Tobacco Products
Surtax Fund to the Major Risk Medical Insurance Fund,
for the Major Risk Medical Insurance Program..... ~~(6,818,000)~~
(2,928,000)

*SEC. 343. Item 4280-112-0233 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

4280-112-0233—For transfer by the Controller from the
Physician Services Account, Cigarette and Tobacco
Products Surtax Fund to the Major Risk Medical Insurance
Fund, for the Major Risk Medical Insurance Program..... ~~(2,121,000)~~
(12,206,000)

*SEC. 344. Item 4280-112-0236 is added to Section 2.00 of the
Budget Act of 2009, to read:*

4280-112-0236—For transfer by the Controller from the Unal-
located Account, Cigarette and Tobacco Products Surtax
Fund to the Major Risk Medical Insurance Fund, for the
Major Risk Medical Insurance Program..... (5,212,000)

SEC. 345. Item 4280-112-3133 of Section 2.00 of the Budget
Act of 2009 is amended to read:

4280-112-3133—For transfer by the Controller from the Man-
aged Care Administrative Fines and Penalties Fund to the
Major Risk Medical Insurance Fund, for the Major Risk
Medical Insurance Program..... ~~(500,000)~~
(774,000)

Provisions:

1. In order to effectively administer the Major Risk
Medical Insurance Program, the Department of Fi-
nance may decrease or increase this item in order to
conform to the revised transfer estimate from the
Managed Care Administrative Fines and Penalties
Fund.

SEC. 346. Item 4300-003-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:

4300-003-0001—For support of Department of Developmental
Services, for Developmental Centers..... ~~355,995,000~~
278,036,000

Schedule:

- (1) 20-Developmental Centers Program.... ~~672,131,000~~
656,425,000
- (2) Reimbursements..... ~~-315,618,000~~
-377,871,000
- (3) Amount payable from the Federal Trust
Fund (Item 4300-003-0890)..... -518,000

Provisions:

1. A loan shall be available from the General Fund to the
State Department of Developmental Services not to
exceed a cumulative total of \$77,000,000. The loan
funds will be transferred to this item as needed to meet
cashflow needs due to delays in collecting reimburse-

1 ments from the Health Care Deposit Fund, and subject
2 to the repayment provisions of Section 16351 of the
3 Government Code.

4 2. Upon order of the Department of Finance, the Con-
5 troller shall transfer such funds as are necessary be-
6 tween this item and Item 4300-001-0001 in order to
7 appropriately align General Fund and Medi-Cal reim-
8 bursements from the State Department of Health Care
9 Services with budgeted activities. Within 10 working
10 days after approval of a transfer as authorized by this
11 provision, the Department of Finance shall notify the
12 chairpersons of the fiscal committees of each house
13 of the Legislature and the Chairperson of the Joint
14 Legislative Budget Committee of the transfer, includ-
15 ing the amount transferred, how the amount was deter-
16 mined, and how the amount will be utilized.

17 3. Upon order of the Department of Finance, the Con-
18 troller shall transfer such funds as are necessary be-
19 tween this item and Item 4300-101-0001. Within 10
20 working days after approval of a transfer as authorized
21 by this provision, the Department of Finance shall
22 notify the chairpersons of the fiscal committees in each
23 house of the Legislature and the Chairperson of the
24 Joint Legislative Budget Committee of the transfer,
25 including the amount transferred, how the amount
26 transferred was determined, and how the amount
27 transferred will be utilized.

28 4. The State Department of Developmental Services
29 (DDS) shall notify the chairperson of each fiscal
30 committee and policy committee of each house of the
31 Legislature of specific outcomes resulting from cita-
32 tions and the results of annual surveys conducted by
33 the State Department of Public Health, as well as
34 findings of any other ~~government~~ *governmental*
35 agency authorized to conduct investigations or surveys
36 of state developmental centers. The DDS shall forward
37 the notifications, including a copy of the specific
38 findings, to the chairpersons of the committees within
39 10 working days of its receipt of these findings. The
40 DDS also shall forward these findings, within three

working days of submission, to the appropriate investigating agency. In addition, the DDS shall provide notification to the chairpersons of the committees, within three working days, of its receipt of information concerning any investigation initiated by the United States Department of Justice and the private nonprofit corporation designated by the Governor pursuant to Division 4.7 (commencing with Section 4900) of the Welfare and Institutions Code or concerning any findings or recommendations resulting from any of these investigations.

SEC. 347. Item 4300-004-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4300-004-0001—For support of Department of Developmental Services (Proposition 98), for Developmental Centers.....	7,539,000
	7,321,000
Schedule:	
(1) 20-Developmental Centers Program.....	10,299,000
	9,848,000
(a) 20.17-AB 1202 Contracts.....	780,000
(b) 20.66-Medi-Cal Eligible Services.....	9,519,000
	9,068,000
(2) Reimbursements.....	-2,760,000
	-2,527,000
Provisions:	
1. Of the amount appropriated in this item, \$2,760,000 is to be used to provide the General Fund match for Medi-Cal Eligible Services.	

SEC. 348. Item 4300-101-0172 of Section 2.00 of the Budget Act of 2009 is amended to read:

4300-101-0172—For local assistance, Department of Developmental Services, for payment to Item 4300-101-0001, payable from the Developmental Disabilities Program Development Fund..... 1,592,000
2,492,000

Provisions:

1. Notwithstanding any other provision of law, the Department of Finance may authorize expenditures for the State Department of Developmental Services in excess of the amount appropriated no sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees in each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or no sooner than such lesser time as the chairperson of the joint committee, or his or her designee, may in each instance determine.

SEC. 349. Item 4300-101-0496 is added to Section 2.00 of the Budget Act of 2009, to read:

4300-101-0496—For local assistance, Department of Developmental Services, for payment to Item 4300-101-0001, payable from the Developmental Disabilities Services Account..... 150,000

SEC. 350. Item 4300-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4300-101-0890—For local assistance, Department of Developmental Services, for Regional Centers, for payment to Item 4300-101-0001, payable from the Federal Trust Fund..... 51,234,000
78,118,000

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-001-0890 in order to effectively administer the Early Intervention federal grant program (Part C of the Individuals with Disabilities Education Act).

2. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-003-0890 in order to effectively administer the Foster Grandparent Program.
3. Notwithstanding Section 26.00, the Department of Finance may authorize transfer of expenditure authority between Programs 10.10.010-Operations and 10.10.020-Purchase of Services in order to more accurately reflect expenditures in the Early Intervention federal grant program (Part C of the Individuals with Disabilities Education Act).

SEC. 351. Item 4300-101-3148 of Section 2.00 of the Budget Act of 2009 is repealed.

4300-101-3148—For local assistance, Department of Development Services, payable from the Proposition 10 Health and Human Services Fund	265,000,000
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SEC. 352. Item 4300-103-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4300-103-0001—For local assistance, Department of Developmental Services, Program 10.10.020-Regional Centers:	
Purchase of Services, Risk Pool, Self-Directed Services....	1,184,000
	9,000

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4300-101-0001 in order to effectively administer the Self-Directed Services Risk Pool Fund.

SEC. 353. Item 4300-301-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4300-301-0001—For capital outlay, Department of Developmental Services.....	32,680,000
	9,468,000

Schedule:

- (1) 55.25.270-Fairview: Upgrade Fire Alarm System—Working drawings and construction..... 9,147,000
- (2) ~~55.50.470-Porterville: Renovate Satellite Kitchens and Dining Rooms—Construction.....~~ 19,691,000
- (3) 55.55.350-Sonoma: Install Medical Gases and Oxygen Piping—Working drawings and construction..... 3,842,000

321,000

Provisions:

1. ~~Notwithstanding any other provision of law, the project funded in Schedule (2) shall be considered part of the Porterville: New Main Kitchen project funded in Item 4300-301-0660 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006).~~

SEC. 354. Item 4440-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

- 4440-001-0890—For support of Department of Mental Health, for payment to Item 4440-001-0001, payable from the Federal Trust Fund..... 3,506,000

3,524,000

Provisions:

1. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4440-101-0890.

SEC. 355. Item 4440-001-3085 of Section 2.00 of the Budget Act of 2009 is amended to read:

- 4440-001-3085—For support of Department of Mental Health, for payment to Item 4440-001-0001, payable from the Mental Health Services Fund..... 38,860,000

40,124,000

Provisions:

1. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated

for administration pursuant to subdivision (d) of Section 5892 of the Welfare and Institutions Code.

2. Notwithstanding any other provision of law, the Department of Finance may increase the funding provided in this item to further the implementation of the Mental Health Services Act (Proposition 63, as approved by the voters at the November 2, 2004, statewide general election). Any increase may occur not sooner than 30 days after written notification has been provided to the chairpersons of the committees in each house of the Legislature that consider appropriations, the chairpersons of the committees and the appropriate subcommittees in each house of the Legislature that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee identifying the need for that increase and the expenditure plan for the additional funds.

3. The State Department of Mental Health shall annually provide to the Department of Finance a Fund Condition Statement of the Housing Support Account (special deposit account) which shall be annually published in the Governor's January 10 Budget. It is the intent of the Legislature to utilize this information to track the fiscal allocations made for the Housing Initiative Program as established under the Mental Health Services Act.

SEC. 356. Item 4440-011-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4440-011-0001—For support of the State Hospitals, Department of Mental Health.....	1,175,178,000
	1,193,423,000

Schedule:

(1) 20.10-Long-Term Care Services—	
Lanterman-Petris-Short Act.....	89,878,000
	81,443,000

1	(2) 20.20-Long-Term Care Services—	
2	Penal Code and Judicially Commit-	
3	ted.....	1,050,464,000
4		<i>1,043,384,000</i>
5	(3) 20.30-Long-Term Care Services—De-	
6	partment of Corrections and Rehabili-	
7	tation.....	128,141,000
8		<i>153,466,000</i>
9	(4) Reimbursements.....	-93,305,000
10		<i>-84,732,000</i>
11	(5) <i>Amount payable from California State</i>	
12	<i>Lottery Education Fund.....</i>	<i>-138,000</i>
13	Provisions:	
14	1. Upon order of the Department of Finance, and follow-	
15	ing 30-day notification to the Joint Legislative Budget	
16	Committee, the Controller shall transfer between this	
17	item and Item 4440-016-0001 those funds that are	
18	necessary for direct community services, as well as	
19	administrative and ancillary services related to the	
20	provision of direct services.	
21	2. Upon approval of the State Department of Mental	
22	Health, a portion of the funds appropriated in Schedule	
23	(2) shall be available to reimburse counties for the cost	
24	of treatment and legal services to patients in the five	
25	State Department of Mental Health State Hospitals,	
26	pursuant to Section 4117 of the Welfare and Institu-	
27	tions Code. Expenditures made under this item shall	
28	be charged to either the fiscal year in which the claim	
29	is received or the fiscal year in which the Controller	
30	issues the warrant. Claims filed by local jurisdictions	
31	for legal services may be scheduled by the Controller	
32	for payment.	
33	3. The reimbursements identified in Schedule (4) shall	
34	include amounts received by the State Department of	
35	Mental Health as a result of billing for Lanterman-	
36	Petris-Short (LPS) Act state hospital bed day expendi-	
37	tures attributable to conservatees who are gravely	
38	disabled as defined in subparagraph (B) of paragraph	
39	(1) of subdivision (h) of Section 5008 of the Welfare	
40	and Institutions Code (Murphy Conservatee).	

- 1 4. The Controller shall transfer the total amount at-
2 tributable in the 2009–10 fiscal year to patient-gener-
3 ated collections for Lanterman-Petris-Short (LPS) Act
4 patients as revenue to the General Fund.
- 5 5. Notwithstanding any other provision of law, funds
6 appropriated to accommodate projected hospital pop-
7 ulation levels in excess of those that actually material-
8 ize, if any, shall revert to the General Fund. However,
9 the Department of Finance may approve an increase
10 in expenditures that are not related to caseload for the
11 state hospitals through the redirection of funding that
12 is reasonably believed not to be needed for accommo-
13 dating projected hospital population levels if the ap-
14 proval is made in writing and filed with the Chairper-
15 son of the Joint Legislative Budget Committee and
16 the chairpersons of the committees of each house of
17 the Legislature that consider appropriations not later
18 than 30 days prior to the effective date of the approval,
19 or prior to whatever lesser time the Chairperson of the
20 Joint Legislative Budget Committee, or his or her de-
21 signee, may in each instance determine. All notifica-
22 tions shall include (a) the reason for the proposed
23 redirection of caseload funding to expenditures that
24 are not related to caseload, (b) the approved amount,
25 and (c) the basis of the Director of Finance’s determi-
26 nation that the funding is not needed for accommodat-
27 ing projected hospital population levels.
- 28 6. Notwithstanding Section 26.00, the Department of
29 Finance may authorize the transfer of expenditure au-
30 thority between Schedules (1), (2), and (3) in order to
31 accurately reflect caseload in these programs.
- 32 7. Of the amount appropriated in this item, \$4,280,000
33 is available only to provide appropriate treatment to
34 individuals found incompetent to stand trial and who
35 have not been committed to a state hospital. These
36 funds may be encumbered no earlier than 30 days, or
37 a lesser amount of time as determined by the Chairper-
38 son of the Joint Legislative Budget Committee or his
39 or her designee, after the Department of Finance pro-
40 vides a written expenditure plan for these funds to the

chairpersons of the fiscal committees in each house of the Legislature, and to the Chairperson of the Joint Legislative Budget Committee.

8. The State Department of Mental Health shall provide the fiscal and policy committees of the Legislature, including the Chairperson of the Joint Legislative Budget Committee, and the Department of Finance with a quarterly update on the progress of the hiring plan to ensure appropriate active treatment for patients, state licensure requirements, and in meeting the Consent Judgment with the United States Department of Justice regarding the federal Civil Rights of Institutionalized Persons Act (CRIPA). This quarterly update shall be provided within 10 working days of the close of the quarter to ensure the exchange of timely and relevant information.

SEC. 357. Item 4440-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

4440-101-0001—For local assistance, Department of Mental Health.....	288,015,000
	352,697,000
Schedule:	
(1) 10.25-Community Services—Other Treatment.....	629,875,000
	586,638,000
(2) 10.30-Community Services—EPSDT.....	824,513,000
	1,003,988,000
(3) 10.47-Community Services—Children’s Mental Health Services.....	310,000
(4) 10.97-Community Services—Healthy Families Program.....	31,981,000
	32,683,000
(5) 10.98-Community Services—Continued Implementation of the MHSA.....	40,000,000
	0
(6) Reimbursements.....	-1,238,664,000
	-1,270,922,000

Provisions:

1. Augmentations to reimbursements in this item from the Office of Emergency Services for Disaster Relief are exempt from Section 28.00. The State Department of Mental Health shall provide written notification to the Joint Legislative Budget Committee describing the nature and planned expenditure of these augmentations when the amount received exceeds \$200,000.
2. It is the intent of the Legislature that local expenditures for mental health services for Medi-Cal eligible individuals serve as the match to draw down maximum federal financial participation to continue the Short-Doyle/Medi-Cal program.
3. It is the intent of the Legislature for counties to consider ways to provide services similar to those established pursuant to the Mentally Ill Offender Crime Reduction Grant Program using Mental Health Services Act Funds, as referenced in Section 5813.5 of the Welfare and Institutions Code and as appropriate under this act.
4. *Notwithstanding any other provision of law, an additional \$34,897,000 (\$15,796,000 General Fund) in expenditures for Schedule (2) has been deferred until the 2010–11 fiscal year. This deferral includes funding for the 2006–07 cost settlement and county shares of costs.*

SEC. 358. Item 4440-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

4440-101-0890—For local assistance, Department of Mental Health, payable from the Federal Trust Fund.....		59,457,000
		60,691,000
Schedule:		
(1) 10.25-Community Services—Other		
Treatment.....	52,075,000	
	52,343,000	
(2) 10.75-Community Services—Homeless		
Mentally Disabled.....	7,382,000	
	8,348,000	

Provisions:

1. The funds appropriated in this item are for assistance to local agencies in the establishment and operation of mental health services, in accordance with Division 5 (commencing with Section 5000) of the Welfare and Institutions Code.
2. The *State* Department of Mental Health may authorize advance payments of federal grant funds on a monthly basis to the counties for grantees. These advance payments may not exceed one-twelfth of Section 2.00 of the individual grant award for the 2009–10 fiscal year.
3. Upon order of the Department of Finance, the Controller shall transfer such funds as are necessary between this item and Item 4440-001-0890.

SEC. 359. Item 4440-101-3085 of Section 2.00 of the Budget Act of 2009 is amended to read:

4440-101-3085—For local assistance, Department of Mental Health, payable from the Mental Health Services Fund.... 238,804,000
12,150,000

Schedule:

- (1) 10.98-Community Services—Continued
Implementation of the Mental Health
Services Act..... 12,150,000
52,150,000
- (2) ~~10.30-Community Services—EPSDT~~..... 226,654,000
- (3) *Reimbursements*..... -40,000,000

Provisions:

- ~~1. It is the intent of the Legislature to appropriately fund the Early and Periodic Screening Diagnostic and Treatment Program using General Fund support to obtain federal matching funds in the event Mental Health Services Act funds are not available for this purpose.~~

SEC. 360. Item 4700-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

1	4700-001-0890—For support of Department of Community	
2	Services and Development, payable from the Federal Trust	
3	Fund.....	12,304,000
4		28,368,000
5	Schedule:	
6	(1) 20-Energy Programs.....	9,486,000
7		25,550,000
8	(2) 40-Community Services.....	3,346,000
9	(3) 50.01-Administration.....	4,838,000
10	(4) 50.02-Distributed Administration.....	-4,838,000
11	(5) Reimbursements.....	-528,000
12	Provisions:	
13	1. On a federal fiscal year basis, the Department of	
14	Community Services and Development shall make the	
15	following program allocation for the community ser-	
16	vices block grant, as a percentage of the total block	
17	grant:	
18	(a) Administration.....	5 percent

19
20 *SEC. 361. Item 4700-101-0890 of Section 2.00 of the Budget*
21 *Act of 2009 is amended to read:*
22

23	4700-101-0890—For local assistance, Department of Commu-	
24	nity Services and Development, for assistance to individ-	
25	uals and payments to service providers, payable from the	
26	Federal Trust Fund.....	154,286,000
27		309,565,000
28	Schedule:	
29	(1) 20-Energy Programs.....	92,154,000
30		158,282,000
31	(2) 40-Community Services.....	62,132,000
32		151,283,000
33	Provisions:	
34	1. On a federal fiscal year basis, the department <i>Depart-</i>	
35	<i>ment of Community Services and Development</i> shall	
36	make the following program allocations for the com-	
37	munity services block grant as a percentage of the total	
38	block grant:	
39	(a) Discretionary.....	5 percent

- (b) Migrant and seasonal farmwork-
ers..... 10 percent
- (c) Native American Indian pro-
grams..... 3.9 percent
- (d) ~~Community action agencies and
rural community services..... 76.1 percent~~
- (d) *Community action agencies and
rural community services..... 76.1 percent*

All grantees under the community services block
grant program are subject to standard state contracting
procedures required under the program.

2. Funds scheduled in ~~Item 4700-101-0890~~ *this item* may
be transferred to Item 4700-001-0890 for the adminis-
tration of the Low Income Home Energy Assistance
Program, subject to approval of the Department of
Finance.

*SEC. 362. Item 5160-001-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

5160-001-0001—For support of Department of Rehabilitation.... 58,071,000

Schedule:

- (1) 10-Vocational Rehabilitation Ser-
vices..... ~~385,972,000~~
429,572,000
- (2) 30-Independent Living Services..... ~~3,307,000~~
5,175,000
- (3) 40.01-Administration..... 33,475,000
- (4) 40.02-Distributed Administration..... -33,475,000
- (6) Reimbursements..... -7,900,000
- (7) Amount payable from the Vending
Stand Fund (Item 5160-001-0600)..... -3,361,000
- (8) Amount payable from the Federal
Trust Fund (Item 5160-001-0890)..... ~~-319,727,000~~
-365,195,000
- (9) Amount payable from the Mental Health
Services Fund (Item 5160-001-3085).... -220,000

Provisions:

1. Upon order of the Director of Finance, the Controller
shall transfer such funds as are necessary between this

item and Item 4300-101-0001 to provide for the transportation costs to and from work activity programs of clients who are receiving vocational rehabilitation services through the Vocational Rehabilitation/Work Activity Program (VR/WAP).

2. The Department of Rehabilitation shall maximize its use of certified time as a match for federal vocational rehabilitation funds. To the extent that certified time is available, it shall be used in lieu of the General Fund moneys.
3. Upon order of the Director of Finance, the Controller shall transfer the General Fund share of budgeted client costs as necessary between this item and Item 4300-101-0001 to provide for the net transfer of clients, resulting from program closures, between the Department of Rehabilitation and the State Department of Developmental Services. The amount transferred shall be based on the amount budgeted per client by each department for the remainder of the fiscal year.

SEC. 363. Item 5160-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

5160-001-0890—For support of Department of Rehabilitation,	
for payment to Item 5160-001-0001, payable from the	
Federal Trust Fund.....	319,727,000
	365,195,000

Provisions:

1. The amount appropriated in this item that is payable from federal Social Security Act funds for vocational rehabilitation services for SSI/SSDI recipients shall be expended only to the extent that funds received exceed the amount appropriated in Item 5160-101-0890 that is payable from the federal Social Security Act funds. It is the intent of the Legislature that first priority of federal Social Security Act funding be given to independent living centers in the amount of federal Social Security Act funding appropriated in Item 5160-101-0890.

SEC. 364. Item 5160-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

5160-101-0890—For local assistance, Department of Rehabilitation, payable from the Federal Trust Fund.....	15,736,000
	19,028,000
Schedule:	
(1) 30-Independent Living Services.....	15,736,000
	19,028,000

SEC. 365. Item 5175-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5175-001-0001—For support of Department of Child Support Services.....	27,883,000
	24,645,000
Schedule:	
(1) 10-Child Support Services.....	82,644,000
	73,121,000
(2) Reimbursements.....	-123,000
(3) Amount payable from the Federal Trust Fund (Item 5175-001-0890).....	-54,638,000
	-48,353,000

SEC. 366. Item 5175-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

5175-001-0890—For support of Department of Child Support Services, for payment to Item 5175-001-0001, payable from the Federal Trust Fund.....	54,638,000
	48,353,000

SEC. 367. Item 5175-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5175-101-0001—For local assistance, Department of Child Support Services.....	264,172,000
	226,971,000

1	Schedule:	
2	(1) 10-Child Support Services.....	841,701,000
3		813,190,000
4	(a) 10.01-Child Support	
5	Administration.....	749,310,000
6		750,055,000
7	(b) 10.03-Child Support	
8	Automation.....	92,391,000
9		63,135,000
10	(2) Amount payable from the Federal	
11	Trust Fund (Item 5175-101-0890).....	-434,066,000
12		-442,756,000
13	(3) Amount payable from the Child Sup-	
14	port Collections Recovery Fund (Item	
15	5175-101-8004).....	-143,463,000
16	Provisions:	
17	1. No funds appropriated in this item shall be encumbered	
18	unless every rule or regulation adopted and every child	
19	support services letter or similar instruction issued by	
20	the Department of Child Support Services that adds	
21	to the costs of the child support program is approved	
22	by the Department of Finance as to the availability of	
23	funds before it becomes effective. In making the deter-	
24	mination as to availability of funds to meet the expen-	
25	ditures of a rule, regulation, or child support services	
26	letter that would increase the costs of the program, the	
27	Department of Finance shall consider the amount of	
28	the proposed increase on an annualized basis, the effect	
29	the change would have on the expenditure limitations	
30	for the program set forth in this act, the extent to which	
31	the rule, regulation, or child support services letter	
32	constitutes a deviation from the premises under which	
33	the expenditure limitations were prepared, and any	
34	additional factors relating to the fiscal integrity of the	
35	program or the state's fiscal situation.	
36	Notwithstanding Section 28.00, the availability of	
37	funds contained in this item for child support program	
38	rules, regulations, or child support services letters that	
39	add to program costs funded from the General Fund	
40	in excess of \$500,000 on an annual basis, including	

those that are the result of federal regulations but excluding those that are (a) specifically required as a result of the enactment of a federal or state law, or (b) included in the appropriation made by this act, shall not be approved by the Department of Finance sooner than 30 days after notification in writing of the necessity therefor to the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee, or such lesser time as the chairperson of the joint committee, or his or her designee, may in each instance determine. Funds appropriated in this item are for the child support program consisting of state and federal statutory law, regulations, and court decisions, if funds necessary to carry out those decisions are specifically appropriated in this act.

2. Notwithstanding any other provision of law, a loan not to exceed \$136,000,000 shall be made available from the General Fund, from funds not otherwise appropriated, to cover the federal share of costs of the program when the federal funds have not been received by this state prior to the usual time for transmitting that federal share to the counties of this state or to cover the federal share of child support collections for which the federal funds have been reduced prior to the collections being received from the counties. This loan from the General Fund shall be repaid when the federal share of costs for the program becomes available or when the collections are received from the counties.
3. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5175-001-0001 in order to allow the state to perform the functions or oversee the functions of the local child support agency in the event a county fails to perform that function or is out of compliance with state performance standards.
4. It is the intent of the Legislature that the California Child Support Automation Project receive the highest commitment and priority of all of the state's child support automation activities.

5. The amounts appropriated in Schedule (1)(b) 10.03-Child Support Automation shall be available for expenditure or encumbrance until June 30, 2010. The Department of Finance shall provide notification to the Joint Legislative Budget Committee of the amount of the carryover within 10 working days from the date the amount of the carryover is determined.
6. *The General Fund appropriation reduced for this item is reduced by \$500,000 for the California Child Support Automation System. The Director of Finance, in consultation with the Department of Child Support Services, shall apportion this reduction among contracts, state operations, local assistance, and personnel, with corresponding adjustments to federal funds authority.*

SEC. 368. Item 5175-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

5175-101-0890—For local assistance, Department of Child Support Services, for payment to Item 5175-101-0001, payable from the Federal Trust Fund.....	434,066,000
	442,756,000

Provisions:

1. Provisions 1 and 5 of Item 5175-101-0001 also apply to this item.
2. The Department of Finance may authorize the establishment of positions and transfer of amounts from this item to Item 5175-001-0890 in order to allow the state to perform the functions or oversee the functions of the local child support agency in the event a county fails to perform that function or is out of compliance with state performance standards.
3. Notwithstanding Section 28.00 or any other provision of law, upon request of the Department of Child Support Services, the Department of Finance may increase or decrease the expenditure authority in this item to offset any increases or decreases in collections deposited in the Child Support Collections Recovery Fund and appropriated in Item 5175-101-8004. The Depart-

ment of Finance shall provide notification of the adjustment to the Joint Legislative Budget Committee within 10 working days from the date of Department of Finance approval of the adjustment.

4. From the federal funds appropriated in Schedule (1)(b) of Item 5175-101-0001 (10.03-Child Support Automation), an amount not to exceed \$78,811,000 shall be available for expenditure or encumbrance until June 30, 2010. The Department of Finance shall provide notification to the Joint Legislative Budget Committee of the amount of the carryover within 10 working days from the date that the amount of the carryover is determined. Notwithstanding Section 28.00 or any other provision of law, upon request of the Department of Child Support Services, the Department of Finance may increase or decrease the expenditure authority in this item to offset any increases or decreases in collections deposited in the Child Support Collections Recovery Fund and appropriated in Item 5175-101-8004. The Department of Finance shall provide notification of the adjustment to the Joint Legislative Budget Committee within 10 working days from the date of Department of Finance approval of the adjustment.

SEC. 369. Item 5180-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

5180-101-0890—For local assistance, Department of Social Services, for payment to Item 5180-101-0001, payable from the Federal Trust Fund.....	3,936,766,000
	4,466,139,000

Provisions:

1. Provisions 1, 4, 6, 7, 8, and 9 of Item 5180-101-0001 also apply to this item.
2. The Director of Finance may authorize the transfer of amounts from this item to Item 5180-001-0890 in order to fund the costs of the administrative hearing process associated with changes in aid payments in the CalWORKs program.

3. For the purpose of broadening access to federal Child and Adult Care Food Program benefits for low-income children in proprietary child care centers, the State Department of Social Services may transfer up to \$10,000,000 of the funds appropriated in this item for Program 16.30—CalWORKs, from the Temporary Assistance for Needy Families (TANF) block grant to the Social Services Block Grant (Title XX) pursuant to authorization in the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193). The Title XX funds shall be pooled with TANF funds appropriated in this item for CalWORKs Child Care. This transfer shall occur only if the Director of Finance approves the pooling of Title XX funds with Child Care and Development Fund or TANF funds, or both.
4. Upon request of the State Department of Social Services, the Director of Finance may increase or decrease the expenditure authority in this item to offset any increases or decreases in collections deposited in the Child Support Collections Recovery Fund and appropriated in Item 5180-101-8004. The Department of Finance shall provide notification of the adjustment to the Joint Legislative Budget Committee within 10 working days from the date of Department of Finance approval of the adjustment.

SEC. 370. Item 5180-141-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5180-141-0001—For local assistance, Department of Social	
Services.....	542,393,000
	568,580,000
Schedule:	
(1) 16.75-County Administration and	
Automation Projects.....	1,339,015,000
	1,395,917,000
(2) Reimbursements.....	-72,503,000
	-68,867,000

(3) Amount payable from the Federal
Trust Fund (Item 5180-141-0890)..... ~~-724,119,000~~
-758,470,000

Provisions:

1. Notwithstanding Chapter 1 (commencing with Section 18000) of Part 6 of Division 9 of the Welfare and Institutions Code, a loan not to exceed \$127,000,000 shall be made available from the General Fund, from funds not otherwise appropriated, to cover the federal share of costs of a program when the federal funds have not been received by this state prior to the usual time for transmitting that federal share to the counties of this state. This loan from the General Fund shall be repaid when the federal share of costs for the program or programs becomes available.
2. In the event of declared disaster and upon county request, the State Department of Social Services may act in the place of any county and assume direct responsibility for the administration of eligibility and grant determination. Upon recommendation of the Director of Social Services, the Department of Finance may authorize the transfer of funds from ~~Items 5180-141-0001 this item~~ and Item 5180-141-0890, to Items 5180-001-0001 and 5180-001-0890, for this purpose.
3. Provision 1 of Item 5180-101-0001 also applies to this item.
4. Pursuant to public assistance caseload estimates reflected in the annual Governor's Budget, the Department of Finance may approve expenditures in those amounts made necessary by changes in caseload that are in excess of amounts appropriated in this act. If the Department of Finance determines that the estimate of expenditures will exceed the expenditures authorized for this item, the department shall so report to the Legislature. At the time the report is made, the amount of the appropriation made by this item shall be increased by the amount of the excess unless and until otherwise provided by law.
5. Nonfederal funds appropriated in this item which have been budgeted to meet the state's Temporary Assis-

tance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) may not be expended in any way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.

6. Section 11.00 shall apply to contracts entered into for the development and implementation of the Consortium IV, Interim Statewide Automated Welfare System, Los Angeles Eligibility, Automated Determination, Evaluation, and Reporting, and Welfare Client Data Systems consortia of the Statewide Automated Welfare System.
7. Upon request of the Department of Finance, the Controller shall transfer funds between this item and Item 5180-153-0001 as needed to reflect the estimated expenditure amounts for each county that opts into the Title IV-E Child Welfare Waiver Demonstration Project pursuant to Section 18260 of the Welfare and Institutions Code. The Department of Finance shall report to the Legislature the amount to be transferred pursuant to this provision. The transfer shall be authorized at the time the report is made.

SEC. 371. Item 5180-141-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

5180-141-0890—For local assistance, Department of Social Services, for payment to Item 5180-141-0001, payable from the Federal Trust Fund.....	724,119,000
	758,470,000

Provisions:

1. Provisions 2, 3, 4, 6, and 7 of Item 5180-141-0001 also apply to this item.

SEC. 372. Item 5180-151-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

1	5180-151-0001—For local assistance, Department of Social	
2	Services.....	634,529,000
3		763,375,000
4	Schedule:	
5	(1) 25.30-Children and Adult Services	
6	and Licensing.....	2,185,920,000
7		2,159,705,000
8	(2) 25.35-Special Programs.....	26,525,000
9		26,853,000
10	(3) Reimbursements.....	-143,099,000
11		-153,144,000
12	(4) Amount payable from the Child Health	
13	and Safety Fund (Item 5180-151-	
14	0279).....	-1,264,000
15	(5) Amount payable from the State Chil-	
16	dren's Trust Fund (Item 5180-151-	
17	0803).....	-3,755,000
18	(6) Amount payable from the Federal	
19	Trust Fund (Item 5180-151-	
20	0890).....	-1,313,798,000
21		-1,261,020,000
22	(7) Amount payable from the Child Welfare	
23	Services Program Improvement Fund	
24	(Item 5180-151-8023).....	-4,000,000
25	(8) Amount payable from the Proposition	
26	10 Health and Human Services Fund	
27	(Item 5180-151-3148).....	-112,000,000
28	Provisions:	
29	1. Provision 1 of Item 5180-101-0001 also applies to this	
30	item.	
31	2. Notwithstanding Chapter 1 (commencing with Section	
32	18000) of Part 6 of Division 9 of the Welfare and In-	
33	stitutions Code, a loan not to exceed \$50,000,000 shall	
34	be made available from the General Fund from funds	
35	not otherwise appropriated, to cover the federal share	
36	of costs of a program when the federal funds have not	
37	been received by this state prior to the usual time for	
38	transmitting that federal share to the counties of this	
39	state. That loan from the General Fund shall be repaid	

1 when the federal share of costs for the program be-
2 comes available.

- 3 3. The Department of Finance may authorize the estab-
4 lishment of positions and transfer of amounts from
5 this item to Item 5180-001-0001, in order to allow the
6 state to perform the facilities evaluation function of
7 Community Care Licensing in the event the counties
8 fail to perform that function.

- 9 4. Nonfederal funds appropriated in this item which have
10 been budgeted to meet the state's Temporary Assis-
11 tance for Needy Families maintenance-of-effort require-
12 ment established pursuant to the federal Personal Re-
13 sponsibility and Work Opportunity Reconciliation Act
14 of 1996 (P.L. 104-193) may not be expended in any
15 way that would cause their disqualification as a feder-
16 ally allowable maintenance-of-effort expenditure.

- 17 5. The Department of Finance may authorize the estab-
18 lishment of positions and transfer of amounts from
19 this item to Item 5180-001-0001, in order to allow the
20 state to perform the adoptions function in the event
21 that a county notifies the State Department of Social
22 Services that it intends to cease performing that func-
23 tion.

- 24 6. (a) Of the amount appropriated in this item,
25 \$57,836,000 shall be provided to counties to fund
26 additional child welfare services activities and
27 shall be allocated based on child welfare services
28 caseload and county unit costs. However, no
29 county shall receive less than \$100,000. These
30 funds shall be expressly targeted for emergency
31 response, family reunification, family mainte-
32 nance, and permanent placement services and
33 shall be used to supplement, and shall not be used
34 to supplant, child welfare services funds. A
35 county is not required to provide a match of the
36 funds received pursuant to this provision if the
37 county appropriates the required full match for
38 the county's child welfare services program exclu-
39 sive of the funds received pursuant to this provi-
40 sion. These funds are available only to counties

1 that have certified that they are fully utilizing the
2 Child Welfare Services/Case Management System
3 (CWS/CMS) or have entered into an agreed-upon
4 plan with the State Department of Social Services
5 outlining the steps that will be taken to achieve
6 full utilization. The department shall reallocate
7 any funds that counties choose not to accept under
8 this provision, to other counties based on the allo-
9 cation formula specified in this provision.

10 (b) The department, in collaboration with the County
11 Welfare Directors Association and representatives
12 from labor groups representing social workers,
13 shall develop the definition of full utilization of
14 the CWS/CMS, the method for measuring full
15 utilization, the process for the state and counties
16 to work together to move counties toward full
17 utilization, and measurements of progress toward
18 full utilization.

19 7. The State Department of Social Services shall consult
20 with the counties, children's advocates, and current
21 and former foster youth in the development and imple-
22 mentation of permanency and youth services initia-
23 tives.

24 8. Upon request by the Department of Finance, the Con-
25 troller shall transfer funds between this item and Item
26 5180-153-0001 as needed to reflect the estimated ex-
27 penditure amounts for each county that opts into the
28 Title IV-E Child Welfare Waiver Demonstration Pro-
29 ject pursuant to Section 18260 of the Welfare and In-
30 stitutions Code. The Department of Finance shall re-
31 port to the Legislature the amount to be transferred
32 pursuant to this provision. The transfer shall be autho-
33 rized at the time the report is made.

34 9. It is the intent of the Legislature to fund Program
35 25.30-Children and Adult Services Licensing of this
36 item using General Fund moneys in the event the
37 Proposition 10 funds identified in Item 5180-151-3148
38 are not available for this purpose.
39

5180-151-0890—For local assistance, Department of Social Services, for payment to Item 5180-151-0001, payable from the Federal Trust Fund.....	1,313,798,000
	<i>1,261,020,000</i>

1. Provisions 1, 3, 5, 6, and 8 of Item 5180-151-0001 also apply to this item.

5180-153-0890—For local assistance, Department of Social Services, for payment to Item 5180-153-0001, payable from the Federal Trust Fund.....	481,417,000
	503,274,000

1. Upon request by the Department of Finance, the Controller shall transfer funds between this item and Items 5180-101-0890, 5180-141-0890, and 5180-151-0890 as needed to reflect the estimated expenditure amounts for each county that opts into the Title IV-E Child Welfare Waiver Demonstration Project pursuant to Section 18260 of the Welfare and Institutions Code. In addition, funds appropriated in this item may also be transferred to Item 5180-151-0890 for the Child Welfare Services Outcome Improvement Project. The Department of Finance shall report to the Legislature the amount to be transferred pursuant to this provision. The transfer shall be authorized at the time the report is made.

5225-001-0001—For support of Department of Corrections and Rehabilitation.....	6,887,426,000
	6,161,656,000

1	Schedule:	
2	(1) 10-Corrections and Rehabilitation Ad-	
3	ministration.....	396,054,000
4		382,569,000
5	(3) 15-Corrections Standards Authority....	11,945,000
6	(4) 20-Juvenile Operations.....	255,030,000
7		254,146,000
8	(5) 21-Juvenile Education, Vocations, and	
9	Offender Programs.....	13,125,000
10	(6) 22-Juvenile Paroles.....	33,747,000
11		33,555,000
12	(7) 23-Juvenile Health Care.....	82,699,000
13		84,907,000
14	(8) 25-Adult Corrections and Rehabilita-	
15	tion Operations.....	5,118,266,000
16		5,152,129,000
17	(9) 30-Parole Operations—Adult.....	826,375,000
18		788,099,000
19	(10) 35-Board of Parole Hearings.....	126,328,000
20		110,931,000
21	(11) 40-Community Partnerships.....	16,629,000
22		15,517,000
23	(12) 45-Education, Vocations, and Offender	
24	Programs—Adult.....	612,378,000
25		554,916,000
26	(13) Reimbursements.....	128,461,000
27		486,583,000
28	(13.5) 97.20.001-Unallocated Reduc-	
29	tion.....	400,000,000
30		677,502,000
31	(14) Amount payable from the Corrections	
32	Training Fund (Item 5225-001-0170)....	2,693,000
33	(15) Amount payable from the Federal Trust	
34	Fund (Item 5225-001-0890).....	7,292,000
35	(16) Amount payable from the Inmate	
36	Welfare Fund (Item 5225-001-	
37	0917).....	66,704,000
38		66,113,000

Provisions:

1. Any funds recovered as a result of audits of locally operated return-to-custody centers shall revert to the General Fund.
2. When contracting with counties for vacant jail beds for any inmate under the jurisdiction of the Secretary of the Department of Corrections and Rehabilitation, the department shall not reimburse counties more than the average amount it costs the state to provide the same services in comparable state institutions. This restriction shall not apply to any existing contract, but shall apply to the extension or renewal of that contract. In addition, the total operational cost of incarcerating state inmates in leased county jail beds (which includes state costs, but is exclusive of one-time and capital outlay costs) shall not exceed the department's average cost for operating comparable institutions.
3. Notwithstanding any other provision of law, but subject to providing 30 days' prior notification to the Joint Legislative Budget Committee, funds appropriated in Schedule (8) or (9), or both, may be transferred to Item 5225-101-0001, Schedule (7), upon order of the Director of Finance, to provide funds for the reimbursement of counties for the cost of holding parole violators in local jail.
4. Not later than 60 days following enactment of this act, and subsequently on February 10 and upon release of the May Revision, the Secretary of the Department of Corrections and Rehabilitation shall submit to the Director of Finance the Post Assignment Schedule for each adult institution, reconciled to budgeted authority and consistent with approved programs, along with allotments consistent with the reconciled Post Assignment Schedule for each adult institution.
5. Not later than February 17, 2010, the Secretary of the Department of Corrections and Rehabilitation shall submit to the chairpersons and vice chairpersons of the committees in both houses of the Legislature that consider the State Budget and to the Legislative Analyst's Office an operating budget for each of the cor-

rectional facilities under the control of the department. Specifically, the report shall include: (a) ~~year-end~~ *yearend* expenditures by program for each institution in the 2008–09 fiscal year, (b) allotments and projected expenditures by program for each institution in the 2009–10 fiscal year, (c) the number of authorized and vacant positions, estimated overtime budget, estimated benefits budget, and operating expense and equipment budget for each institution, and (d) a list of all capital outlay projects occurring or projected to occur during the 2009–10 fiscal year.

6. Funds appropriated to accommodate projected adult institutional and parolee population levels in excess of those that actually materialize, if any, shall revert to the General Fund.
7. ~~Of the amount appropriated in Schedule (1), \$3,270,000 is for contract costs to provide employees of the Department of Corrections and Rehabilitation with tuberculosis testing and Hepatitis B vaccinations. Any funds not expended for this purpose by June 30, 2010, shall revert to the General Fund. The Department of Corrections and Rehabilitation shall report actual contract expenditures to the Department of Finance. No later than January 10, 2010, the Department of Corrections and Rehabilitation (DCR), in consultation with the Office of the Receiver, shall report to the budget committees of both houses of the Legislature on its overtime expenditures for security staff (correctional officers, sergeants, and lieutenants) in the 2008–09 and 2009–10 fiscal years, including both security staff under the direction of the DCR and the Office of the Receiver. This report shall (a) identify the total budgeted resources available to DCR and the Office of the Receiver for security staff overtime (including funding for correctional relief officers and overtime funding for medical guarding and transportation), (b) compare the total budgeted resources to actual overtime expenditures and describe how DCR and the Office of the Receiver accommodated any identified funding shortfall, (c) identify the estimated~~

1 amount by which different factors (such as vacancy
2 rates) drive overtime costs, (d) provide an estimate of
3 the DCR's and the Office of the Receiver's actual need
4 for overtime funding, and (e) include a plan for how
5 DCR and the Office of the Receiver will control over-
6 time expenditures in the future.

- 7 8. Notwithstanding any other provision of law, and no
8 sooner than 30 days after notifying the Joint Legisla-
9 tive Budget Committee and the chairpersons of the
10 fiscal committees in each house of the Legislature, the
11 Department of Finance may reduce the amount appro-
12 priated in this item commensurate with savings identi-
13 fied by the Department of Corrections and Rehabilita-
14 tion related to the implementation of reforms to the
15 Division of Juvenile Justice during the 2009–10 fiscal
16 year. Program reductions may be made to Programs
17 20, 21, 22, and 23. Reductions shall not be made below
18 funding levels needed to maintain compliance with the
19 Farrell Remedial Plans.

- 20 9. (a) The funds appropriated in this item are restricted
21 for use by the Department of Corrections and
22 Rehabilitation for the specific programmatic and
23 operational purposes specified in the Supplemen-
24 tal Report of the Budget Act of 2009. The depart-
25 ment shall provide two reports identifying its
26 progress toward expending these funds during
27 the 2009–10 fiscal year to the Joint Legislative
28 Budget Committee and the fiscal committees of
29 both houses of the Legislature. The first report
30 shall be due February 1, 2010, and shall separate-
31 ly detail the activities of the first two quarters of
32 the 2009–10 fiscal year. The second report shall
33 be due May 1, 2010, and shall display the activi-
34 ties for the third quarter of the 2009–10 fiscal
35 year. The funds identified in the Supplemental
36 Report of the Budget Act of 2009 shall be utilized
37 for the purposes specified, and any unspent funds
38 shall revert to the General Fund.

- 39 (b) In situations where fluctuations in population re-
40 sult in lower expenditure levels as identified in

the department's population budget change proposals, these savings shall be captured in the population funding estimates and may be used to offset other population-related expenditure increases.

(c) After providing a 30-day notification period to the Joint Legislative Budget Committee, the department may expend funds identified in the Supplemental Report of the Budget Act of 2009 on other identified needs.

10. The Department of Corrections and Rehabilitation (DCR) shall continue its efforts in consultation with legislative staff and the Department of Finance to create a more accurate and transparent population budget request for caseload-related funding. In particular, DCR shall identify appropriate funding formulas to use to estimate staffing levels and funding associated with changes in the projected inmate, parolee, and ward populations. These formulas shall be presented to the Legislature no later than January 10, 2010, so as to be considered during budget deliberations. If approved, these formulas shall be incorporated into DCR's budget request the following year.

11. The Budget Act of 2009 reflects a \$249,510,000 reduction in inmate and parolee programs designed to reduce recidivism. The Department of Corrections and Rehabilitation shall implement these reductions consistent with the following requirements: (a) the department shall prioritize the preservation of programs for which there is evidence-based on studies of the programs operated by the department or in the national literature—that they are effective at reducing recidivism, (b) the department shall seek to achieve savings through more efficient operations in the delivery of these programs, (c) the department shall seek to place inmates and parolees into programs for which they are best suited by prioritizing the placement of offenders who are assessed as higher risk to reoffend, demonstrate a significant need for the services provided for a particular program, and who have a sufficient

amount of time left to serve in prison to reasonably complete the program or, at a minimum, make a reasonable amount of progress that it is possible to have an impact on their likelihood of recidivating, (d) the department shall seek to prioritize the elimination of vacant positions over laying off existing staff, (e) the department shall seek to use available resources to maximize the number of inmates and parolees who have access to and complete programs, and (f) the department shall seek to maximize the use of federal or other funds to maintain or enhance inmate and parolee programs. No later than August 15, 2009, the department shall report to the Joint Legislative Budget Committee a detailed plan as to how it will achieve \$249,510,000 in savings from inmate and parolee programs, as well as how that plan is consistent with the requirements of this provision. No later than April 15, 2010, the department shall report to the joint committee regarding its progress in achieving these savings.

SEC. 376. Item 5225-001-0917 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-001-0917—For support of Department of Corrections and Rehabilitation, for payment to Item 5225-001-0001, payable from the Inmate Welfare Fund.....	66,704,000
	66,113,000

SEC. 377. Item 5225-002-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-002-0001—For support of Department of Corrections and Rehabilitation.....	2,262,086,000
	2,221,944,000

Schedule:

(1) 10-Corrections and Rehabilitation Administration.....	8,548,000
	8,614,000

1	(2) 25-Adult Corrections and Rehabilita-	
2	tion operations.....	261,530,000
3		261,419,000
4	(3) 50.10-Medical Services—Adult.....	1,207,604,000
5		1,184,953,000
6	(4) 50.20-Dental Services—Adult.....	180,917,000
7		179,754,000
8	(5) 50.30-Mental Health Services—	
9	Adult.....	357,381,000
10		341,358,000
11	(6) 50.40-Ancillary Health Care Ser-	
12	vices—Adult.....	195,710,000
13	(7) 50.50-Dental and Mental Health Ser-	
14	vices Administration—Adult.....	52,667,000
15		52,407,000
16	(8) Reimbursements.....	-2,271,000
17	Provisions:	
18	1. On February 14, 2006, the United States District Court	
19	in the case of Plata v. Schwarzenegger (No. C01-1351	
20	THE) suspended the exercise by the Secretary of the	
21	Department of Corrections and Rehabilitation of all	
22	powers related to the administration, control, manage-	
23	ment, operation, and financing of the California prison	
24	medical health care system. The court ordered that all	
25	such powers vested in the Secretary of the Department	
26	of Corrections and Rehabilitation were to be performed	
27	by a Receiver appointed by the court commencing	
28	April 17, 2006, until further order of the court. The	
29	Director of the Division of Correctional Health Care	
30	Services of the Department of Corrections and Reha-	
31	bilitation is to administer this item to the extent direct-	
32	ed by the Receiver.	
33	2. Notwithstanding any other provision of law, the De-	
34	partment of Corrections and Rehabilitation is not re-	
35	quired to competitively bid for health services con-	
36	tracts in cases where contracting experience or history	
37	indicates that only one qualified bid will be received.	
38	3. Notwithstanding Section 13324 of the Government	
39	Code or Section 32.00 of this act, no state employee	
40	shall be held personally liable for any expenditure or	

1 the creation of any indebtedness in excess of the
2 amounts appropriated therefor as a result of complying
3 with the directions of the Receiver or orders of the
4 United States District Court in *Plata v. Schwarzeneg-*
5 *ger*.

6 4. The amounts appropriated in Schedules (2), (3), and
7 (6) are available for expenditure by the Receiver ap-
8 pointed by the *Plata v. Schwarzenegger* court to carry
9 out its mission to deliver constitutionally adequate
10 medical care to inmates.

11 5. The amounts appropriated in Schedules (1), (4), (5),
12 and (7) are available for expenditure by the Depart-
13 ment of Corrections and Rehabilitation to provide
14 mental health and dental services only.

15 6. (a) *The funds appropriated in this item are restricted*
16 *for use by the Department of Corrections and*
17 *Rehabilitation for the specific programmatic and*
18 *operational purposes specified in the Supplemen-*
19 *tal Report of the Budget Act of 2009. The depart-*
20 *ment shall provide two reports identifying its*
21 *progress toward expending these funds during*
22 *the 2009–10 fiscal year to the Joint Legislative*
23 *Budget Committee and the fiscal committees of*
24 *both houses of the Legislature. The first report*
25 *shall be due February 1, 2010, and shall separate-*
26 *ly detail the activities of the first two quarters of*
27 *the 2009–10 fiscal year. The second report shall*
28 *be due May 1, 2010, and shall display the activi-*
29 *ties for the third quarter of the 2009–10 fiscal*
30 *year. The funds identified in the Supplemental*
31 *Report of the Budget Act of 2009 shall be utilized*
32 *for the purposes specified, and any unspent funds*
33 *shall revert to the General Fund.*

34 (b) *In situations where fluctuations in population re-*
35 *sult in lower expenditure levels as identified in*
36 *the department's population budget change pro-*
37 *posals, these savings shall be captured in the*
38 *population funding estimates and may be used to*
39 *offset other population-related expenditure in-*
40 *creases.*

(c) After providing a 30-day notification period to the Joint Legislative Budget Committee, the department may expend funds identified in the Supplemental Report of the Budget Act of 2009 on other identified needs.

SEC. 378. Item 5225-011-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-011-0001—For support of Department of Corrections and Rehabilitation (Proposition 98).....	48,558,000
	49,696,000

Schedule:

(1) 21-Juvenile Education, Vocations, and Offender Programs.....	48,558,000
	49,696,000

Provisions:

1. Notwithstanding any other provision of law, and no sooner than 30 days after notifying the Joint Legislative Budget Committee, and the chairpersons of the fiscal committees in each house of the Legislature, the Department of Finance may reduce the amount appropriated in this item commensurate with savings identified by the Department of Corrections and Rehabilitation related to the implementation of reforms to the Division of Juvenile Justice during the 2009–10 fiscal year. Program reductions may be made to Program 21. Reductions shall not be made below funding levels needed to maintain compliance with the Farrell Remedial Plans.

SEC. 379. Item 5225-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-101-0001—For local assistance, Department of Corrections and Rehabilitation.....	79,226,000
	74,889,000

Schedule:

(1) 15-Corrections Standards Authority.....	835,000
(2) 20-Juvenile Operations.....	78,000

1	(3) 22-Juvenile Paroles.....	1,403,000
2	(4) 25.15.010-Adult Corrections and Reha-	
3	bilitation Operations—Transportation	
4	of Inmates.....	278,000
5	(5) 25.15.020-Adult Corrections and Reha-	
6	bilitation Operations—Return of Fugi-	
7	tives.....	2,593,000
8	(6) 25.30-Adult Corrections and Rehabilita-	
9	tion Operations—County Charges.....	20,819,000
10	(7) 30-Parole Operations—Adult.....	53,220,000
11		48,883,000

Provisions:

1. The amount appropriated in Schedules (4), (5), (6), and (7) is provided for the following purposes:
 - (a) To pay the transportation costs of prisoners to and between state prisons, including the return of parole violators to prison and for the conveying of persons under provisions of Division 3 (commencing with Section 3000) of the Welfare and Institutions Code and the Western Interstate Corrections Compact (Section 11190 of the Penal Code), in accordance with Section 26749 of the Government Code. Claims filed by local jurisdictions shall be filed within six months after the end of the month in which those transportation costs are incurred. Expenditures shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller. Claims filed by local jurisdictions directly with the Controller may be paid by the Controller.
 - (b) To pay the expenses of returning fugitives from justice from outside the state, in accordance with Sections 1389, 1549, and 1557 of the Penal Code. Claims filed by local jurisdictions shall be filed within six months after the end of the month in which expenses are incurred. Expenditures shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Con-

troller, and any restitution received by the state for those expenses shall be credited to the appropriation of the year in which the Controller's receipt is issued. Claims filed by local jurisdictions directly with the Controller may be paid by the Controller.

(c) To pay county charges, payable under Sections 4700.1, 4750 to 4755, inclusive, and 6005 of the Penal Code. Claims shall be filed by local jurisdictions within six months after the end of the month in which a service is performed by the coroner, a hearing is held on the return of a writ of habeas corpus, the district attorney declines to prosecute a case referred by the Department of Corrections and Rehabilitation, a judgment is rendered for a court hearing or trial, an appeal ruling is rendered for the trial judgment, or an activity is performed as permitted by these sections. Expenditures shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller. Claims filed by local jurisdictions directly with the Controller may be paid by the Controller.

(d) To reimburse counties for the cost of detaining state parolees pursuant to Section 4016.5 of the Penal Code. Claims shall be filed by local jurisdictions within six months after the end of the month in which the costs are incurred. Claims filed by local jurisdictions may not include booking fees, may not recover detention costs in excess of ~~\$84.29~~ \$77.17 per day, and shall be limited to the detention costs for those days on which parolees are held subject only to a Department of Corrections and Rehabilitation request pursuant to subdivision (b) of Section 4016.5 of the Penal Code. Expenditures shall be charged to either the fiscal year in which the claim is received by the Department of Corrections and Rehabilita-

tion or the fiscal year in which the warrant is issued.

2. Notwithstanding any other provision of law, upon 30-day prior notification to the Chairperson of the Joint Legislative Budget Committee, funds appropriated in Schedule (7) of this item may be transferred to Schedule (8) or (9), or both, of Item 5225-001-0001, upon order of the Director of Finance, to provide funds for the reimbursement of counties for the cost of holding parole violators in local jails or for the auditing or monitoring of local assistance costs.

3. The amounts appropriated in Schedules (2) and (3) are provided for the following purposes:

- (a) To pay the transportation costs of persons committed to the Department of Corrections and Rehabilitation to or between its facilities, including the return of parole violators, provided that expenditures made under this item shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller. However, claims shall be filed by local jurisdictions within six months after the end of the month in which the costs are incurred.
- (b) To reimburse counties, pursuant to Section 1776 of the Welfare and Institutions Code, for the cost of the detention of the Department of Corrections and Rehabilitation parolees who are detained on alleged parole violations, provided that expenditures made under this item shall be charged to either the fiscal year in which the claim is received by the Controller or the fiscal year in which the warrant is issued by the Controller. However, claims shall be filed by local jurisdictions within six months after the end of the month in which the costs are incurred.

SEC. 380. Item 5225-301-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

1	5225-301-0001—For capital outlay, Department of Corrections	
2	and Rehabilitation, payable from the General Fund.....	39,776,000
3		20,212,000
4	Schedule:	
5	(1) 61.01.001-Statewide: Budget Packages	
6	and Advance Planning—Study.....	2,000,000
7	(2) 61.01.115-Statewide: Reentry Facility	
8	Site Evaluations—Study and acquisition.....	5,000,000
9		
10	(3) 61.01.204-Statewide: Small Manage-	
11	ment Exercise Yards (PSU (Psychiatric	
12	Services Unit and SHU)—Preliminary	
13	Security Housing Unit)—Preliminary	
14	plans and working drawings.....	278,000
15	(7) 61.08.061-California Institution for	
16	Men, Chino: Housing Unit Fire, Life,	
17	and Safety Modifications—Preliminary	
18	plans, working drawings, and construc-	
19	tion.....	1,777,000
20	(8) 61.13.016-California Institution for	
21	Women, Frontera: 20-Bed Psychiatric	
22	Services Unit—Construction.....	5,729,000
23		6,433,000
24	(9) 61.14.030-Minor Projects.....	3,848,000
25	(11) 61.15.039-California—Rehabilitation	
26	Center, Norco: Install Bar Screen—	
27	Construction.....	959,000
28	(12) 61.16.021-Sierra Conservation Center,	
29	Jamestown:—Effluent—Disposal	
30	Pipeline—Construction.....	4,851,000
31	(13) 61.18.008-Mule Creek State Prison,	
32	Ione: Wastewater Treatment Plant Im-	
33	provements—Construction.....	5,072,000
34	(14) 61.34.004-Ironwood State Prison,	
35	Blythe: Heating, Ventilation, and Air-	
36	Conditioning System—Working draw-	
37	ings.....	9,192,000

(15) 61.47.007-California State Prison-	
Sacramento, Represa: Enhanced Outpa-	
tient Program, Facility B, Treatment	
and Office Space—Working draw-	
ings.....	1,070,000
	876,000

Provisions:

1. The funds appropriated in Schedule (1) are to be allocated by the Department of Corrections and Rehabilitation, upon approval by the Department of Finance, to develop design and cost information for new projects for which funds have not been previously appropriated, but for which preliminary plan funds, working drawings funds, or working drawings and construction funds are expected to be included in the 2010–11 or 2011–12 Budget Act, and for which cost estimates or preliminary plans can be developed prior to legislative hearings on the 2010–11 or 2011–12 Budget Acts, respectively. Upon approval by the Department of Finance, these funds may also be used to develop scope and cost information for projects authorized by Section 15819.40 of the Government Code. These funds may be used for all of the following: budget package development, environmental services, architectural programming, engineering assessments, schematic design, and preliminary plans. The amount appropriated in this item for these purposes is not to be construed as a commitment by the Legislature as to the amount of capital outlay funds it will appropriate in any future year. Before using these funds for preliminary plans, the Department of Corrections and Rehabilitation shall provide a 20-day notification to the Chairperson of the Joint Legislative Budget Committee, the chairpersons of the respective fiscal committee of each house of the Legislature, and the legislative members of the State Public Works Board, discussing the scope, cost, and future implications of the use of funds for preliminary plans.
2. As used in this appropriation, studies shall include site studies and suitability reports, environmental studies,

master planning, architectural programming and schematics.

3. The unexpended portion of funds appropriated in Schedules (8) and (15) shall be reverted if the projects for which they are appropriated are removed from the mental health bed plan, as approved by the Coleman Court, and are no longer necessary to meet the mental health space needs required by the Coleman Court.

4. The Department of Corrections and Rehabilitation shall report to, in writing, the chairpersons of the committees in each house of the Legislature that consider appropriations and the Chairperson of the Joint Legislative Budget Committee by May 1, 2010, on the reconciliation of the funds appropriated in Schedule (9).

5. The funds appropriated in Schedule (2) are to be allocated by the Department of Corrections and Rehabilitation, upon approval of the Department of Finance, for site investigation and real estate due diligence activities preliminary to the site selection and acquisition of interests in real property. In performing these activities the Department of Corrections and Rehabilitation is authorized, upon approval of the State Public Works Board, to enter into agreements for the acquisition of an option to purchase real property.

SEC. 381. Item 5225-301-0660 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-301-0660—For capital outlay, Department of Corrections and Rehabilitation, payable from the Public Buildings Construction Fund..... 14,950,000

Schedule:

(1) 61.15.035-California Rehabilitation Center, Norco: Replace Men's Dorms— Construction..... 14,950,000

Provisions:

1. The State Public Works Board may issue lease-revenue bonds, notes, or bond anticipation notes pursuant to Chapter 5 (commencing with Section 15830) of Part

- 1 10b of Division 3 of Title 2 of the Government Code
2 to finance the construction of the projects authorized
3 by this item.
- 4 2. The Department of Corrections and Rehabilitation and
5 the State Public Works Board are authorized and di-
6 rected to execute and deliver any and all leases, con-
7 tracts, agreements, or other documents necessary or
8 advisable to consummate the sale of bonds or other-
9 wise effectuate the financing of the scheduled projects.
- 10 3. The State Public Works Board shall not be deemed a
11 lead or responsible agency for purposes of the Califor-
12 nia Environmental Quality Act (Division 13 (commenc-
13 ing with Section 21000) of the Public Resources Code)
14 for any activities under the State Building Construction
15 Act of 1955 (Part 10b (commencing with Section
16 15800) of Division 3 of Title 2 of the Government
17 Code). This provision does not exempt the Department
18 of Corrections and Rehabilitation from the require-
19 ments of the California Environmental Quality Act.
20 This provision is declaratory of existing law.
- 21 4. Notwithstanding any other provision of law, the funds
22 appropriated in this item shall be available for expen-
23 diture during the 2009–10 fiscal year, except appropri-
24 ations for acquisitions which shall be available for
25 expenditure until June 30, 2012, appropriations for
26 working drawings which shall be available for expen-
27 diture until June 30, 2011, and appropriations for
28 construction which shall be available for expenditure
29 until June 30, 2014. In addition, the balance of the
30 funds appropriated for construction that have not been
31 allocated, through fund transfer or approval to bid, by
32 the Department of Finance on or before June 30, 2012,
33 shall revert as of that date to the fund from which the
34 appropriation was made.
- 35 5. *Notwithstanding any other provision of law, the De-*
36 *partment of Corrections and Rehabilitation shall not*
37 *encumber or expend funds for the San Quentin Con-*
38 *demned Inmate Complex project, as authorized in the*
39 *Budget Act of 2003 (Ch. 157, Stats. 2003) and the*
40 *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008),*

until the following conditions have been met: (a) the department determines it can legally double-cell condemned inmates, (b) federal court litigation on prison overcrowding currently before the three-judge panel convened under the Prison Litigation Reform Act (42 U.S.C. Sec. 1997 et seq.) in both *Plata v. Schwarzenegger* and *Coleman v. Schwarzenegger* is resolved, and (c) environmental impact review pursuant to the California Environmental Quality Act (Division 13 (commencing with Section 21000) of the Public Resources Code) is completed for any modifications to the proposed stormwater outfall.

SEC. 382. Item 5225-301-0747 of Section 2.00 of the Budget Act of 2009 is amended to read:

5225-301-0747—For capital outlay, Department of Corrections and Rehabilitation, payable from the 1988 Prison Construction Fund.....	1,646,000
	750,000
Schedule:	
(1) 61.06.020-Deuel Vocational Institution, Tracy: New Minimum Support Dining Facility—Preliminary plans, working drawings, and construction.....	1,646,000
	750,000

SEC. 383. Item 5225-490 is added to Section 2.00 of the Budget Act of 2009, to read:

5225-490—Reappropriation, Department of Corrections and Rehabilitation. The balances of the appropriations provided in the following citations are reappropriated for the purposes provided in the appropriations and shall be available for expenditure or encumbrance until June 30, 2010:

0001—General Fund

(1) Item 5225-101-0001, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006). The balance of the funds appropriated for the Juvenile Justice Community Reentry Challenge Grant Program is reappropriated for that purpose

1 *and shall be available for expenditure or encumbrance*
2 *until June 30, 2010.*

3
4 *SEC. 384. Item 5225-491 is added to Section 2.00 of the Budget*
5 *Act of 2009, to read:*

6
7 *5225-491—Reappropriation, Department of Corrections and*
8 *Rehabilitation. The balances of the appropriations provided*
9 *in the following citations are reappropriated for the pur-*
10 *poses and subject to the limitations, unless otherwise*
11 *specified, provided for in the appropriations:*

12 *0001—General Fund*

13 *(1) Subdivision (a) of Section 28 of Chapter 7 of the*
14 *Statutes of 2007*

15 *For capital outlay to renovate, improve, or expand*
16 *infrastructure capacity at existing prison facilities.*
17 *The balance of this appropriation shall be available*
18 *for expenditure or encumbrance until June 30, 2013.*

19 *(2) Item 5225-301-0001, Budget Act of 2006 (Chs. 47 and*
20 *48, Stats. 2006)*

21 *(6) 61.06.029-Deuel Vocational Institution, Tracy:*
22 *Groundwater Treatment/Non-Potable Water*
23 *Distribution System—Construction*

24 *(3) Item 5225-301-0001, Budget Act of 2008 (Chs. 268*
25 *and 269, Stats. 2008)*

26 *(7) 61.07.107-Folsom State Prison, Represa: Reno-*
27 *vate Branch Circuit Wiring, Building No.*
28 *5—Construction*

29 *(9) 61.13.016-California Institution for Women,*
30 *Frontera: 20-Bed Psychiatric Services*
31 *Unit—Working drawings*

32 *(12) 61.15.039-California Rehabilitation Center,*
33 *Norco: Install Bar Screen—Preliminary plans*
34 *and working drawings*

35 *0660—Public Buildings Construction Fund*

36 *(1) Item 5225-301-0660, Budget Act of 2005 (Chs. 38 and*
37 *39, Stats. 2005), as reappropriated by Item 5225-491,*
38 *Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)*

39 *(4) 61.35.007-Salinas Valley State Prison, Soledad:*
40 *64 Bed Mental Health Facility—Construction*

0751—1990 Prison Construction Bond Fund

(1) Item 5225-301-0751, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(1) 61.31.002-Pleasant Valley State Prison, Coalinga: Bar Screen, Prelift Station—Construction

SEC. 385. Item 5225-496 is added to Section 2.00 of the Budget Act of 2009, to read:

5225-496—Reversion, Department of Corrections and Rehabilitation. As of June 30, 2009, the balances specified below of the appropriations provided in the following citations shall revert to the balance in the fund from which the appropriations were made:

0001—General Fund

(1) \$20,000,000 from subdivision (a) of Section 28 of Chapter 7 of the Statutes of 2007

SEC. 386. Item 6110-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-001-0001—For support of Department of Education.....	40,401,000
	38,210,000

Schedule:

(2) 20-Instructional Support.....	155,628,000
	158,747,000
(3) 30-Special Programs.....	51,273,000
	54,632,000
(4) 40-Executive Management and Special Services.....	9,795,000
(6) 42.01-Department Management and Special Services.....	33,684,000
(7) 42.02-Distributed Department Management and Special Services.....	-33,684,000
(7.5) 97.20.001-Unallocated Reduction.....	-13,753,000
(8) Reimbursements.....	-16,163,000
	-16,602,000
(9) Amount payable from Federal Trust Fund (Item 6110-001-0890).....	-145,715,000
	-153,945,000

- 1 (10) Amount payable from Mental Health
2 Services Fund (Item 6110-001-3085).... -664,000
3 Provisions:
4 1. Notwithstanding Section 33190 of the Education Code,
5 or any other provision of law, the State Department
6 of Education shall expend no funds to prepare (a) a
7 statewide summary of student performance on school
8 district proficiency assessments or (b) a compilation
9 of information on private schools with five or fewer
10 pupils.
11 2. Funds appropriated in this item may be expended or
12 encumbered to make one or more payments under a
13 personal services contract of a visiting educator pur-
14 suant to Section 19050.8 of the Government Code, a
15 long-term special consultant services contract, or an
16 employment contract between an entity that is not a
17 state agency and a person who is under the direct or
18 daily supervision of a state agency, only if all of the
19 following conditions are met:
20 (a) The person providing service under the contract
21 provides full financial disclosure to the Fair Polit-
22 ical Practices Commission in accordance with the
23 rules and regulations of the commission.
24 (b) The service provided under the contract does not
25 result in the displacement of any represented civil
26 service employee.
27 (c) The rate of compensation for salary and health
28 benefits for the person providing service under
29 the contract does not exceed by more than 10
30 percent the current rate of compensation for salary
31 and health benefits determined by the Department
32 of Personnel Administration for civil service per-
33 sonnel in a comparable position. The payment of
34 any other compensation or any reimbursement
35 for travel or per diem expenses shall be in accor-
36 dance with the State Administrative Manual and
37 the rules and regulations of the California Victim
38 Compensation and Government Claims Board.
39 3. The funds appropriated in this item may not be expend-
40 ed for any REACH program.

- 1 4. The funds appropriated in this item may not be expend-
2 ed for the development or dissemination of program
3 advisories, including, but not limited to, program ad-
4 visories on the subject areas of reading, writing, and
5 mathematics, unless explicitly authorized by the State
6 Board of Education.
- 7 5. Of the funds appropriated in this item, \$206,000 shall
8 be available as matching funds for the Department of
9 Rehabilitation to provide coordinated services to dis-
10 abled pupils. Expenditure of the funds shall be identi-
11 fied in the memorandum of understanding or other
12 written agreement with the Department of Rehabilita-
13 tion to ensure an appropriate match to federal vocation-
14 al rehabilitation funds.
- 15 6. Of the funds appropriated in this item, no less than
16 \$2,420,000 is available for support of child care ser-
17 vices, including state preschool.
- 18 7. Of the funds appropriated in this item, \$164,000 is
19 provided solely for the purpose of funding existing
20 positions from within the State Department of Educa-
21 tion to provide the Curriculum Development and
22 Supplemental Materials Commission with subject
23 matter specialists.
- 24 8. Of the funds appropriated in this item, \$411,000, as
25 subsequently adjusted for employee compensation,
26 shall be available for costs associated with the admin-
27 istration of the High Priority Schools Grant Program
28 pursuant to Article 3.5 (commencing with Section
29 52055.600) of Chapter 6.1 of Part 28 of Division 4 of
30 Title 2 of the Education Code and the Immediate Inter-
31 vention/Underperforming Schools Program pursuant
32 to Article 3 (commencing with Section 52053) of
33 Chapter 6.1 of Part 28 of Division 4 of Title 2 of the
34 Education Code.
- 35 9. By October 31 of each year, the State Department of
36 Education (SDE) shall provide to the Department of
37 Finance a file of all charter school average daily atten-
38 dance (ADA) and state and local revenue associated
39 with charter school general purpose entitlements as
40 part of the P2 Revenue Limit File. By March 1, 2009

1 *of each year*, the SDE shall provide to the Department
2 of Finance a file of all charter school ADA and state
3 and local revenue associated with charter school gen-
4 eral purpose entitlements as part of the P1 Revenue
5 Limit File. It is the expectation that such reports will
6 be provided annually.

7 10. On or before April 15, ~~2009~~ *of each year*, the State
8 Department of Education (SDE) shall provide to the
9 Department of Finance an electronic file that includes
10 complete district- and county-level state appropriations
11 limit information reported to the SDE. The SDE shall
12 make every effort to ensure that all districts have sub-
13 mitted the necessary information requested on the
14 relevant reporting forms.

15 11. The State Department of Education shall make infor-
16 mation available to the Department of Finance, the
17 Legislative Analyst's Office, and the budget commit-
18 tees of each house of the Legislature by October 31,
19 March 31, and May 31 of each year regarding the
20 amount of Proposition 98 savings estimated to be
21 available for reversion by June 30 of that year.

22 12. Of the reimbursement funds appropriated in this item,
23 \$2,000,000 shall be available to the State Department
24 of Education for nutrition education and physical ac-
25 tivity promotion pursuant to an interagency agreement
26 with the State Department of Public Health.

27 13. The report required by Section 60800 of the Education
28 Code for the physical performance test is not required
29 to be printed and mailed, but shall be compiled and
30 reported electronically.

31 14. Reimbursement expenditures pursuant to this item re-
32 sulting from the imposition by the State Department
33 of Education (SDE) of a commercial copyright fee
34 may not be expended sooner than 30 days after the
35 SDE submits to the Department of Finance a legal
36 opinion affirming the authority to impose such fees
37 and the arguments supporting that position against any
38 objections or legal challenges to the fee filed with the
39 SDE. Any funds received pursuant to imposition of a
40 commercial copyright fee may only be expended as

necessary for outside counsel contingent on a certification of the Superintendent of Public Instruction that sufficient expertise is not available within departmental legal staff. The SDE shall not expend greater than \$300,000 for such purposes without first notifying the Department of Finance of the necessity ~~thereof~~ *therefor*, and upon receiving approval in writing.

15. Of the funds appropriated in this item, \$300,000 is provided on a one-time basis for legal representation from the office of the Attorney General in litigation related to the California High School Exit Examination. The State Department of Education (SDE) shall provide a report to the Department of Finance and the Legislature detailing the expenditures of these funds and providing an update on any such litigation on November 1, 2009, and every four months thereafter, with the final report due on June 30, 2010. The office of the Attorney General shall provide the SDE any information, including budget and expenditure data, necessary for the SDE to complete its reports to the Department of Finance and the Legislature.
16. Of the funds appropriated in this item, \$181,000 shall only be available to support a \$181,000 interagency agreement with the California Career Resource Network to provide continuing support for the operations of that organization.
17. Of the amount appropriated in this item, \$139,000 from reimbursement funds may be expended for administering the Education Technology K–12 Voucher Program pursuant to the Microsoft settlement.
18. Of the funds appropriated in this item, up to \$1,011,000 is for dispute resolution services, including mediation and fair hearing services, provided through contract for special education programs.
19. Of the reimbursement funds appropriated in this item, \$422,000 shall be available to the State Department of Education (*SDE*) to contract for assistance in developing an approved listing of food and beverage items that comply with the nutrition standards of Chapters 235 and 237 of the Statutes of 2005. In order to fund

the development and maintenance of the approved product listing, the ~~State Department of Education~~ *SDE* shall collect a fee, as it deems appropriate, from vendors seeking to have their ~~product~~ *products* reviewed for potential placement on the approved product listing. Reimbursements collected in the 2009–10 fiscal year may be used to offset costs incurred in the 2007–08 and 2008–09 fiscal years.

20. Of the funds appropriated in Schedule (2), up to \$540,000 is for transfer by the Controller to the State Instructional Materials Fund for allocation during the ~~2008–09~~ *2009–10* fiscal year pursuant to Article 3 (commencing with Section 60240) of Chapter 2 of Part 33 of Division 4 of Title 2 of the Education Code.

These funds shall be transferred in amounts claimed by the State Department of Education (SDE), for direct disbursement by the SDE from the Instructional Materials Fund.

21. Of the reimbursement funds appropriated in Schedule (8), \$500,000 is for the support of “Green” California Partnership Academies pursuant to legislation enacted in the 2007–08 Regular Session. These funds shall be available for expenditure until June 30, 2011.

22. Of the reimbursement funds appropriated in Schedule (8), \$138,000 is for purposes of overseeing State Board of Education-approved charter schools.

- ~~23. Of the funds appropriated in this item, \$2,191,000 is available on a one-time basis for the State Department of Education (SDE) to fund 3.0 limited-term positions through June 30, 2010, and contract costs associated with the development of the California Longitudinal Teacher Integrated Data Education System (CALTIDES). By September 30, 2010, the SDE shall submit a detailed report of the expenditures authorized under this provision to the appropriate budget and policy committees of the Legislature, the Legislative Analyst’s Office, and the Department of Finance.~~

24. Of the reimbursement funds appropriated in this item, \$474,000 is provided to the State Department of Education for the oversight of State Board of Education-

authorized charter schools. The Department of Finance may administratively establish up to 5.0 positions for this purpose as workload materializes.

25. *Of the reimbursements appropriated in Schedule (8) of this item, \$439,000 and 2.0 limited-term positions until July 1, 2011, inclusive, pursuant to an agreement with the California Children and Families Commission, shall be available to the State Department of Education to support the activities of the Early Learning Quality Improvement System Advisory Committee established by Chapter 307 of the Statutes of 2008.*

SEC. 387. Item 6110-001-0231 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-001-0231—For support of Department of Education, Program 20.10.045-Instructional Support, Curriculum Services-Health and Physical Education-Drug Free Schools, payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund, pursuant to Article 1 (commencing with Section 104420) of Chapter 1 of Part 3 of the Health and Safety Code.....	927,000
	864,000

SEC. 388. Item 6110-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-001-0890—For support of Department of Education, for payment to Item 6110-001-0001, payable from the Federal Trust Fund.....	145,715,000
	153,945,000

Provisions:

1. The funds appropriated in this item include federal Carl D. Perkins Vocational and Technical Education Act of 2006 funds for the 2007–08 fiscal year to be transferred to community colleges by means of interagency agreements. These funds shall be used by community colleges for the administration of career technical education programs.

2. Of the funds appropriated in this item, \$96,000 is available to the Advisory Commission on Special Education for the in-state travel expenses of the commissioners and the secretary to the commission.
3. Of the funds appropriated in this item, \$426,000 is available for programs for homeless youth and adults pursuant to the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Sec. 11431 et seq.). The State Department of Education shall consult with the Department of Community Services and Development, the State Department of Mental Health, the Department of Housing and Community Development, and the Commission for Economic Development in operating this program.
4. Of the funds appropriated in this item, up to \$364,000 shall be used to provide in-service training for special and regular educators and related persons, including, but not limited to, parents, administrators, and organizations serving severely disabled children. These funds are also to provide up to 4.0 positions for this purpose.
5. Of the funds appropriated in this item, \$318,000 shall be used to provide training in culturally nonbiased assessment and specialized language skills to special education teachers.
6. (a) Of the funds appropriated in this item, ~~\$11,765,000~~ *\$12,015,000* is from the Child Care and Development Block Grant Fund and is available for support of child care services. *Of this amount, \$250,000 shall be available to support a contract for consulting services to conduct a study of the characteristics of families and costs of care pursuant to Provision 13 of Item 6110-196-0001. Of this amount the federal funds in this* item, \$1,533,000 is for 13.0 positions to address compliance monitoring and overpayments, which may contribute to early detection of fraud. All federally subsidized child care agencies shall be audited pursuant to federal regulations per Part 98 of Title 45 of the Code of Federal Regulations. The State Department of Education (SDE) shall

provide information to the Legislature and Department of Finance each year that quantifies by program provider-by-provider level data, including instances and amounts of overpayments and fraud, as documented by the SDE's compliance monitoring efforts for the prior fiscal year. Additionally, the SDE shall provide a copy of any federal reports submitted regarding improper payments and fraud to the Legislature and the Department of Finance.

(b) As a condition of receiving the resources specified in subdivision (a), every alternative payment agency and subsidized general child care agency will be audited each year using sufficient sampling of provider records of the following: (1) family fee determinations, (2) income eligibility, (3) rate limits, and (4) basis for hours of care, to determine compliance rates, any instances of misallocation of resources, and the amount of funds expected to be recovered from instances of both potential fraud and overpayment when no intent to defraud is suspected. This information will be contained in a separate report for each provider, with a single statewide summary report annually submitted to the Governor and the Legislature no later than April 15.

(c) *The SDE shall develop a plan by October 1, 2009, for reducing overpayments and recovering payments from child care and development programs that the SDE has determined to have been made in error related either to potential fraud or overpayments. The plan shall be submitted to the Department of Finance by October 1, 2009, for consideration and potential inclusion in the January Governor's Budget. The plan shall provide options and recommendations for payment recovery that seek to maximize California's receipt and use of federal funds and for implementing aggressive corrective measures to minimize payment errors. Those corrective measures may include*

1 *rebidding contracts for contractors with high error*
2 *rates and modifying the contract funding terms*
3 *and conditions to require reductions to adminis-*
4 *trative allowances for contractors that exceed*
5 *specified maximum error rates and prohibit pay-*
6 *ment to providers that continue to submit erro-*
7 *neous reports for reimbursement purposes. Prior*
8 *to submitting recommendations, the SDE shall*
9 *review options with the State Department of Social*
10 *Services and representatives of alternate payment*
11 *providers, counties that directly administer Stage*
12 *1, and state-funded centers and family day care*
13 *homes.*

- 14 7. Of the funds appropriated in this item, \$1,066,000
15 shall be used for administration of the federal Enhanc-
16 ing Education Through Technology Grant Program.
17 Of this amount:
18 (a) \$150,000 is available only for contracted technical
19 support and evaluation services.
- 20 8. Of the funds appropriated in this item, \$9,206,000 is
21 for dispute resolution services, including mediation
22 and fair hearing services, provided through contract
23 for the special education programs. The State Depart-
24 ment of Education shall ensure the quarterly reports
25 that the contractor submits on the results of its dispute
26 resolution services include the same information as
27 required by Provision 9 of Item 6110-001-0890 of
28 Chapters 47 and 48 of the Statutes of 2006 and Section
29 56504.5 of the Education Code and reflect year-to-
30 date data and final yearend data.
- 31 9. Of the amount provided in this item, \$881,000 is pro-
32 vided for the purpose of monitoring local educational
33 agency compliance with state and federal laws and
34 regulations governing special education.
- 35 10. Of the funds appropriated in this item, \$125,000 shall
36 be allocated for increased travel costs associated with
37 program reviews conducted by the Special Education
38 Division Focused Monitoring and Technical Assistance
39 units. Expenditure of these funds is subject to Depart-
40 ment of Finance approval of an expenditure plan. The

expenditure plan shall include the proposed travel costs associated with focused monitoring and technical assistance provided by the State Department of Education. It shall also include the estimated type and number of reviews to be conducted and shall provide an estimated average cost per type of review. Annual renewal of this funding is subject to Department of Finance approval of an annual focused monitoring final expenditure report. The report shall be submitted on or before September 30, 2009. It shall provide the total number of reviews conducted each fiscal year, the amount of staff and personnel days and hours associated with each category of review, the travel costs associated with the type and number of reviews conducted, and an average cost per type of review.

11. Of the amount appropriated in this item, \$832,000 (\$600,000 reimbursements and \$232,000 federal special education funds) shall be used to fund 6.0 positions and implement the provisions of Chapter 914 of the Statutes of 2004 for increased monitoring of non-public, nonsectarian schools.
12. Of the funds appropriated in this item, \$443,000 is for 3.0 positions within the State Department of Education for increased monitoring associated with mental health services required by an individualized education plan pursuant to Chapter 493 of the Statutes of 2004.
13. Of the funds appropriated in this item, \$1,726,000 is available on a one-time basis to implement the Child Nutrition Information and Payment System.
14. Of the funds appropriated in this item, \$2,506,000 shall be used for the administration of the 21st Century Community Learning Centers Program.
15. Of the funds appropriated in this item, \$180,000 in federal Carl D. Perkins Vocational and Technical Education Act of 2006 funding shall only be available to support a \$180,000 interagency agreement with the California Career Resource Network to provide continuing support for the operations of that organization.
16. Of the amount appropriated in this item, \$100,000 is available for an interagency agreement with the Cali-

1 fornia Career Resource Network to develop career re-
2 source materials and information pursuant to Provision
3 1 of Item 6330-001-0001.

4 ~~17. Of the funds appropriated in this item, \$945,000 is~~
5 ~~available on a one-time basis from federal Title II~~
6 ~~funds for the State Department of Education (SDE) to~~
7 ~~contract services for the development of the California~~
8 ~~Longitudinal Teacher Integrated Data Education Sys-~~
9 ~~tem (CALTIDES). By September 30, 2010, the SDE~~
10 ~~shall submit a detailed report of the expenditures au-~~
11 ~~thorized under this provision to the appropriate budget~~
12 ~~and policy committees of the Legislature, the Legisla-~~
13 ~~tive Analyst's Office, and the Department of Finance.~~

14 18. The following funds appropriated in this item are for
15 the development of a comprehensive strategy to ad-
16 dress data reporting requirements and the development
17 of the California Longitudinal Pupil Achievement
18 Data System (CALPADS) to meet the requirements
19 of the federal No Child Left Behind Act of 2001 (P.L.

20 107-110) and Chapter 1002 of the Statutes of 2002:
21 (a) \$730,000 and 5.0 positions to support state oper-
22 ations for a comprehensive strategy to address
23 data reporting requirements.

24 (b) \$2,588,000 and 1.0 position to support state oper-
25 ations related to the development of CALPADS.
26 Up to \$1,158,000 may be used to support the in-
27 volvement of California School Information Ser-
28 vices staff in the development of CALPADS.

29 (c) \$115,000 and 1.0 position to support workload
30 associated with coordinating data collection and
31 sharing for CALPADS and for the federal Educa-
32 tion Data Exchange Network.

33 (d) *\$9,549,000 in one-time federal Title VI funds is*
34 *available for additional CALPADS implementa-*
35 *tion activities, including but not limited to, vendor*
36 *costs associated with system integration, project*
37 *management and oversight, Office of Technology*
38 *Services costs, data system validation and verifi-*
39 *cation, and costs associated with the administra-*

tion and review of data requests to ensure compliance with state and federal privacy laws.

19. Of the funds appropriated in this item, \$378,000 and 4.0 positions are provided to support workload for the federal School Improvement Grant (SIG) Program. Funds shall be allocated pursuant to legislation.
20. Of the funds appropriated in this item, \$736,000 is available from the Child Care and Development Block Grant Fund on a one-time basis to purchase hardware, software, and to contract with a vendor to customize a solution for replacement of the Provider Accounting and Reporting Information System (PARI\$). The State Department of Education (SDE) shall require the vendor to propose a cost-effective solution in which interim functions that are duplicative of the Financial Information System for California (FI\$Cal) will be decommissioned when FI\$Cal is fully implemented. The SDE shall also require the vendor to address any modifications to the child care contracting process that may be implemented through legislation enacted during the current legislative session or through regulations deemed necessary to more fully utilize available appropriations in the solution to rewrite PARI\$.
21. Of the funds appropriated in this item, \$308,000 is available from Title II funds for an interagency agreement with the Commission on Teacher Credentialing to support teacher misassignment monitoring activities.
22. Of the funds appropriated in this item, \$109,000 is provided in federal Title III funds to make permanent 1.0 existing limited-term position to support the English language learner component of the Mathematics and Reading Professional Development Program.
23. Of the funds appropriated in this item, \$334,000 is available on a one-time basis to fund the second year of a three-year, independent evaluation as set forth in legislation enacted in the 2007–08 Regular Session related to federal school improvement.
24. Of the funds appropriated in this item, ~~\$112,000~~ \$432,000 is available on a one-time basis to improve

- 1 and expand the direct certification and verification
2 processes of students in child nutrition programs.
- 3 25. *Of the funds appropriated in this item, \$1,050,000 is*
4 *provided from one-time funds for activities described*
5 *in Chapter 666 of the Statutes of 2008.*
- 6 26. *Of the funds appropriated in this item, \$125,000 is*
7 *available on an ongoing basis to support updates, as*
8 *necessary, for existing parental notification and infor-*
9 *mation templates and \$260,000 is available on a one-*
10 *time basis to support the development of additional*
11 *translations of parental notification and information*
12 *templates. The State Department of Education shall*
13 *submit, on or before September 1, 2010, a detailed*
14 *report of expenditures of funds provided pursuant to*
15 *this provision to the Department of Finance, the Leg-*
16 *islative Analyst's Office, and the appropriate budget*
17 *subcommittees of the Legislature. It is the intent of the*
18 *Legislature that \$125,000 in ongoing funds be provid-*
19 *ed for the 2009–10, 2010–11, and 2011–12 fiscal*
20 *years.*
- 21 27. *Of the funds appropriated in this item, \$1,500,000 is*
22 *available on a one-time basis from federal Statewide*
23 *Longitudinal Data Systems funds for the State Depart-*
24 *ment of Education for systems integration of the Cali-*
25 *fornia Longitudinal Teacher Integrated Data Educa-*
26 *tion System.*
- 27 28. *Of the funds appropriated in this item, \$1,636,000 is*
28 *available from federal Title II funds on a one-time*
29 *basis for the State Department of Education to fund*
30 *3.0 limited-term positions through June 30, 2010, and*
31 *pay costs associated with the development of the Cal-*
32 *ifornia Longitudinal Teacher Integrated Data Educa-*
33 *tion System.*
- 34 29. *Of the funds appropriated in this item, \$1,100,000 is*
35 *provided on a one-time basis, contingent on the receipt*
36 *of Direct Certification, Team Nutrition, and Adminis-*
37 *trative Review and Training grants from the United*
38 *States Department of Agriculture, to develop and im-*
39 *plement school district training needed to implement*

federal requirements associated with the Child Nutrition program.

30. *Of the funds appropriated in this item, \$189,000 is provided from one-time carryover funds for the Coordinated Health/HIV Education Prevention Program.*

31. *Of the funds appropriated in this item, \$945,000 is available from federal Title II funds for the Compliance, Monitoring, Interventions, and Sanctions (CMIS) Program. This program is designed to help school districts meet the highly qualified teacher requirements specified in the federal No Child Left Behind Act of 2001 (P.L. 107-110). By April 1, 2010, the State Department of Education shall submit a report on the CMIS Program to the appropriate budget and policy committees of the Legislature, the Legislative Analyst's Office, and the Department of Finance. The report shall identify (a) the number of school districts that received CMIS support in the 2009–10 fiscal year and (b) the major components of the plans that those districts developed to respond to the federal highly qualified teacher requirements. For each participating district, the report shall provide longitudinal data on the number and percent of teachers who are and are not highly qualified. At a minimum, the 2009–10 report shall include finalized data for the 2008–09 fiscal year and initial data for the 2009–10 fiscal year. The report shall provide data separately for high- and low-poverty schools. For comparison, the report shall provide the same longitudinal data for the statewide average of all school districts as well as the average for school districts not receiving CMIS support.*

SEC. 389. *Item 6110-008-0001 is added to Section 2.00 of the Budget Act of 2009, to read:*

6110-008-0001—For support of the Department of Education,
as allocated by the Department of Education to the State
Special Schools for student transportation allowances,
Program 10.60.40..... 3,894,000

Provisions:

1. Funds appropriated in this item are in lieu of funds that otherwise would be transferred from the General Fund to Section A of the State School Fund in accordance with Sections 14007 and 41301.5 of the Education Code.
2. The State Department of Education (SDE) shall obtain from the Department of Finance written approval prior to spending \$924,000 in this item budgeted to address anticipated transportation contract increases in the 2009–10 fiscal year resulting from fuel and insurance costs. The Department of Finance shall act within 30 days of receiving justification from the SDE for the increased costs.

SEC. 390. Item 6110-008-0046 of Section 2.00 of the Budget Act of 2009 is repealed.

~~6110-008-0046—For support of Department of Education, as
allocated by the Department of Education to the State
Special Schools for student transportation allowances,
payable from the Public Transportation Account, State
Transportation Fund..... 3,894,000~~

~~Provisions:~~

- ~~1. Funds appropriated in this item are in lieu of funds that otherwise would be transferred from the General Fund to Section A of the State School Fund in accordance with Sections 14007 and 41301.5 of the Education Code.~~
- ~~2. The State Department of Education shall obtain from the Department of Finance written approval prior to spending \$924,000 in this item budgeted to address anticipated transportation contract increases in the 2009–10 fiscal year resulting from fuel and insurance costs. The Department of Finance shall act within 30~~

~~days of receiving justification from the State Department of Education for the increased costs.~~

SEC. 391. Item 6110-102-0231 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-102-0231—For local assistance, Department of Education, Program 20.10.045-Instructional Support, Curriculum Services Health and Physical Education, Drug Free Schools, ~~for local assistance~~, payable from the Health Education Account, Cigarette and Tobacco Products Surtax Fund, pursuant to Article 1 (commencing with Section 104350) of Chapter 1 of Part 3 of Division 103 of the Health and Safety Code..... ~~18,998,000~~
17,868,000

SEC. 392. Item 6110-102-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-102-0890—For local assistance, Department of Education, Program 20.60.038-Instructional Support, Learn and Serve America Program, payable from the Federal Trust Fund.... ~~1,813,000~~
2,113,000

1. Of the funds appropriated in this item, \$300,000 reflects one-time carryover funds.

SEC. 393. Item 6110-104-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-104-0001—For local assistance, Department of Education (Proposition 98), Program 10.10.011-School Apportionments—Remedial Supplemental Instruction Programs, for transfer to Section A of the State School Fund, for supplemental instruction and remedial programs..... ~~329,409,000~~
329,326,000

Schedule:

- | | |
|--|---------------------------------------|
| (1) 10.10.011.008-School Apportionments,
for Supplemental Instruction, Remedial,
Grades 7–12 for the purposes of
Section 37252 of the Education
Code..... | 199,480,000
199,430,000 |
| (2) 10.10.011.009-School Apportionments,
for Supplemental Instruction, Retained,
or Recommended for Retention, Grades
2–9 for the purposes of Section 37252.2
of the Education Code, as applicable.... | 48,183,000
48,171,000 |
| (3) 10.10.011.010-School Apportionments,
for Supplemental Instruction, Low
STAR-Grades 2–6 for the purposes of
Section 37252.8 of the Education
Code..... | 16,427,000
16,423,000 |
| (4) 10.10.011.011-School Apportionments,
for Supplemental Instruction, Core
Academic K–12 for the purposes of
Section 37253 of the Education Code.... | 65,319,000
65,302,000 |

Provisions:

1. Notwithstanding any other provision of law, for the fiscal year, the Superintendent of Public Instruction shall allocate a minimum of \$8,715 for supplemental summer school programs in each school district for which the prior fiscal year enrollment was less than 500 and that, in the fiscal year, offers at least 1,500 hours of supplemental summer school instruction. A small school district, as described above, that offers less than 1,500 hours of supplemental summer school offerings shall receive a proportionate reduction in its allocation. For the purpose of this provision, supplemental summer school programs shall be defined as programs authorized under paragraph (2) of subdivision (f) of Section 42239 of the Education Code as it read on July 1, 1999.

2. Notwithstanding any other provision of law, for the fiscal year, the maximum reimbursement to a school district or charter school for the program listed in Schedule (4) shall not exceed 5 percent of the district's or charter school's enrollment multiplied by 120 hours, multiplied by the hourly rate for the fiscal year.
3. Notwithstanding any other provision of law, the rate of reimbursement shall be \$4.08 per hour of supplemental instruction.
4. Notwithstanding any other provision of law, if the funds in this item are insufficient to fund otherwise valid claims, the Superintendent of Public Instruction shall adjust the rates to conform to available funds.
5. Of the funds appropriated in this item, \$0 is provided for the purpose of a cost-of-living adjustment.
6. The funding appropriated in this item shall be considered offsetting revenues within the meaning of subdivision (e) of Section 17556 of the Government Code for any reimbursable mandated cost claim for implementing Section 37252.2 of the Education Code. Local educational agencies accepting funding from this item shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from this item.
7. Notwithstanding any other provision of law, an additional \$90,117,000 in expenditures for this item has been deferred until the following fiscal year.
8. Rates or hours shall be adjusted in voluntary programs as necessary to fully meet demand in mandatory programs and remain within the amount provided for this purpose in the annual Budget Act.
9. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.

SEC. 394. Item 6110-108-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-108-0001—For local assistance, Department of Education
(Proposition 98), Program 20-Instructional Support, the
Supplemental School Counseling Program, established
pursuant to Article 4.5 (commencing with Section 52378)
of Chapter 9 of Part 28 of Division 4 of Title 2 of the Ed-
ucation Code..... ~~208,433,000~~
208,391,000

Provisions:

1. Of the funds appropriated in this item, \$0 is provided for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.

SEC. 395. Item 6110-109-0001 is added to Section 2.00 of the Budget Act of 2009, to read:

6110-109-0001—For local assistance, Department of Education,
Program 10-Instruction, Title XIV of the American Recov-
ery and Reinvestment Act of 2009..... 0

Schedule:

- (1) 10-Instruction..... 503,000,000
- (2) Reimbursements..... -503,000,000

Provisions:

1. The funds appropriated in this item are for restoring levels of state support for elementary and secondary education pursuant to Title XIV of the American Recovery and Reinvestment Act of 2009 (P.L. 111-5).
2. The funds appropriated in this item are for mitigating K–12 revenue limit cuts. Of the total funds appropriated in this item, 94.92 percent shall be distributed to nonbasic aid districts and charter schools, 3.20 percent shall be distributed to basic aid districts, and 1.88 percent shall be distributed to county offices of education. Allocations shall be based on average daily attendance.

SEC. 396. Item 6110-111-0046 of Section 2.00 of the Budget Act of 2009 is repealed.

6110-111-0046—For local assistance, Department of Education
(from the Public Transportation Account, State Transportation
Fund), Program 10.10.006-Instruction, for transfer to
Section A of the State School Fund, Home to School
Transportation, pursuant to Article 10 (commencing with
Section 41850) of Chapter 5 of Part 24 of Division 3 of
Title 2 of the Education Code, and Small School District
Transportation, pursuant to Article 4.5 (commencing with
Section 42290) of Chapter 7 of Part 24 of Division 3 of
Title 2 of the Education Code..... 313,886,000

*SEC. 397. Item 6110-111-3116 of Section 2.00 of the Budget
Act of 2009 is repealed.*

6110-111-3116—For local assistance, Department of Education
(from the Mass Transportation Fund, State Transportation
Fund), Program 10.10.006-Instruction, for transfer to Sec-
tion A of the State School Fund, Home to School Trans-
portation, pursuant to Article 10 (commencing with Section
41850) of Chapter 5 of Part 24 of Division 3 of Title 2 of
the Education Code, and Small School District Transporta-
tion, pursuant to Article 4.5 (commencing with Section
42290) of Chapter 7 of Part 24 of Division 3 of Title 2 of
the Education Code..... 90,447,000

*SEC. 398. Item 6110-113-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

6110-113-0001—For local assistance, Department of Education
(Proposition 98), for purposes of California’s pupil testing
program..... 86,215,000
Schedule:
(1) 20.70.030.005-Assessment Review and
Reporting..... 2,192,000
(2) 20.70.030.006-STAR Program..... 50,059,000
(3) 20.70.030.007-English Language Devel-
opment Assessment..... 1,630,000
(4) 20.70.030.008-High School Exit Exam-
ination..... 7,200,000

(5) 20.70.030.209-Assessment Apportion-	
ments.....	25,134,000
(6) 20.70.030.015-California High School	
Proficiency Examination.....	1,244,000
(7) Reimbursements.....	-1,244,000

Provisions:

1. The funds appropriated in this item shall be for the pupil testing programs authorized by Chapter 3 (commencing with Section 48412) of Part 27 of Division 4 of Title 2 of the Education Code and Chapter 5 (commencing with Section 60600), Chapter 6 (commencing with Section 60800), Chapter 7 (commencing with Section 60810), and Chapter 9 (commencing with Section 60850) of Part 33 of Division 4 of Title 2 of the Education Code.
2. The funds appropriated in Schedule (2) are provided for approved contract costs for the development and administration of the California Standards Tests, the Standards-Based Tests in Spanish, the California Alternate Performance Assessment (CAPA), the Designated Primary Language Test, and the California Modified Assessment, as part of the STAR Program. District apportionments provided in Schedule (5) shall be \$5 per pupil for the CAPA.
3. The funds appropriated in Schedule (3) shall be available for approved contract costs for administration of the California English Language Development Test (CELDT) meeting the requirements of Chapter 7 (commencing with Section 60810) of Part 33 of Division 4 of Title 2 of the Education Code. Incentive funding of \$5 per pupil is provided in Schedule (5) for district apportionments for the CELDT. As a condition of receiving these funds, school districts must agree to provide information determined to be necessary to comply with the data collection and reporting requirements of the federal No Child Left Behind Act of 2001 (P.L. 107-110) regarding English language learners by the State Department of Education.
4. The funds appropriated in Schedule (4) include funds for approved contract costs for the administration of

the California High School Exit Examination (CAHSEE) pursuant to Chapter 9 (commencing with Section 60850) of Part 33 of Division 4 of Title 2 of the Education Code. The State Board of Education shall establish the amount of funding to be apportioned to school districts for the CAHSEE. The amount of funding to be apportioned per test shall not be valid without the approval of the Department of Finance.

5. The funds appropriated in Schedule (4) shall be used for seven annual administrations of the California High School Exit Examination. Grade 12 pupils may take up to five administrations of the examination, grade 11 pupils may take up to two, and grade 10 pupils are required to take one.
6. It is the intent of the Legislature that the State Department of Education (SDE) develop a plan to streamline existing programs to eliminate duplicative tests and minimize the instructional time lost to test administration. The SDE shall ensure that all statewide tests meet industry standards for validity and reliability.
7. Funds provided to local educational agencies from Schedules (2), (3), (4), and (5) shall first be used to offset any state-mandated reimbursable costs within the meaning of Section 17556 of the Government Code, that otherwise may be claimed through the state mandates reimbursement process for the STAR Program, the California English Language Development Test, and the California High School Exit Examination. Local educational agencies receiving funding from these schedules shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from these schedules.
8. Notwithstanding Section 28.50, the Department of Finance may adjust Schedules (6) and (7) to reflect changes in actual reimbursements from the contractor for the California High School Proficiency Examination.
9. Federal funds provided in Item 6110-113-0890 for statewide testing purposes shall be fully expended

before General Fund resources provided in this item are expended for the same purposes.

10. *The funds appropriated in Schedule (5) may be used to pay approved apportionment costs from the 2008–09 and the 2009–10 fiscal years for the STAR Program, the California English Language Development Test, and the California High School Exit Examination.*

11. *The State Department of Education (SDE) shall not expend funds from this item until the Department of Finance approves an SDE expenditure plan to ensure that the SDE maximizes contract savings and minimizes apportionment payment deferrals for the 2008–09 and 2009–10 fiscal years. After an expenditure plan is approved by the Department of Finance, the SDE shall provide a copy of the approved plan to the Legislative Analyst’s Office and the appropriate fiscal and policy committees of the Legislature.*

12. *In implementing the reductions for the 2008–09 and 2009–10 fiscal years, the State Department of Education shall not eliminate any state assessments funded by this item.*

SEC. 399. *Item 6110-119-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:*

6110-119-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 20.40.060-Educational Services for Foster Youth pursuant to Chapter 11.3 (commencing with Section 42920) of Part 24 of Division 3 of Title 2 of the Education Code.....	18,834,000
	<i>18,831,000</i>

Provisions:

1. Of the funds appropriated in this item, \$0 is provided for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.

SEC. 400. Item 6110-119-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-119-0890—For local assistance, Department of Education, Program 10.30.060.002-Title I Program for Neglected and Delinquent Children, payable from the Federal Trust Fund.....	2,461,000 2,504,000
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Provisions:

1. *Of the funds appropriated in this item, \$43,000 is provided in one-time carryover funds to support the existing program.*

SEC. 401. Item 6110-122-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-122-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 20.40.090-Specialized Secondary Programs, pursuant to Chapter 6 (commencing with Sec- tion 58800) of Part 31 of Division 4 of Title 2 of the Edu- cation Code.....	6,104,000 6,102,000
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Provisions:

1. *Of the funds appropriated in this item, \$1,500,000 shall be allocated to Specialized Secondary Programs established prior to the 1991–92 fiscal year that operate in conjunction with the California State University.*
2. *The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.*
3. *Of the amount appropriated in this item, \$0 is provided for a cost-of-living adjustment.*

SEC. 402. Item 6110-124-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-124-0001—For local assistance, Department of Education
(Proposition 98), for transfer to Section A of the State
School Fund, Program 10.80.010-Gifted and Talented
Pupil Program established pursuant to Chapter 8 (commenc-
ing with Section 52200) of Part 28 of Division 4 of Title
2 of the Education Code..... ~~50,885,000~~
50,874,000

Provisions:

1. An additional \$4,294,000 in expenditures for this purpose has been deferred to the 2010–11 fiscal year.
2. Of the funds appropriated in this item, \$0 is for the purpose of providing a cost-of-living adjustment.
3. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.

SEC. 403. Item 6110-125-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-125-0001—For local assistance, Department of Education
(Proposition 98)..... ~~63,073,000~~
63,061,000

Schedule:

- (1) 10.40.030.004-Refugee Children School Grant Program..... 1,649,000
- (2) 20.10.006-English Language Acquisition Program, pursuant to Chapter 4 (commencing with Section 400) of Part 1 of Division 1 of Title 1 of the Education Code..... ~~63,073,000~~
63,061,000
- (3) Reimbursements..... -1,649,000

Provisions:

1. Of the funds appropriated in this item, \$0 is provided for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.

SEC. 404. Item 6110-125-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-125-0890—For local assistance, Department of Education,
payable from the Federal Trust Fund..... 297,826,000
309,933,000

Schedule:

(1) 10.30.010-Title I, Migrant Education..... ~~127,719,000~~
138,143,000
(2) 20.10.004-Title III, Language Acquisition..... ~~170,107,000~~
171,790,000

Provisions:

1. Of the funds appropriated in Schedule (1), the State Department of Education shall use no less than \$6,500,000 and up to \$7,100,000 for the California Mini-Corps Program.
2. Of the funds appropriated in Schedule (1), \$3,500,000 is provided in one-time carryover funds to support the following existing program activities: (a) extended day/week and summer/intersession programs to help prepare middle and secondary students for the high school exit exam, (b) investments aimed at upgrading curricula, instructional materials, educational software, and assessment procedures, (c) tutorials and intensified instruction, and (d) investments in technology used to improve the proficiency of limited-English-proficient pupils.
3. Of the funds appropriated in Schedule (2), \$1,683,000 is provided in one-time carryover funds to support the existing program.

SEC. 405. Item 6110-126-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-126-0890—For local assistance, Department of Education,
 Program 20.60.290-Instructional Support, Title I, Part B
 of the federal Elementary and Secondary Education Act
 (Reading First program) payable from the Federal Trust
 Fund..... 47,974,000
 26,512,000

Provisions:

1. The funds appropriated in this item are for Reading First programs pursuant to Article 1 (commencing with Section 51700) of Chapter 5 of Part 28 of Division 4 of Title 2 of the Education Code. ~~It is the intent of the Legislature that all participating school districts receive funding at the rates established in paragraph (3) of subdivision (c) of Section 51700 for six years. A participating school district shall not receive funding from this item for more than six years.~~
2. ~~Of the funds appropriated in this item, \$3,658,000 shall be available for Reading First's statewide and regional infrastructure, including its six regional technical assistance centers.~~
3. ~~By May 1, 2010, the State Department of Education shall provide the Legislature with all of the following: (a) the number of school districts receiving grants, (b) the number of K-3 teachers funded, (c) the number of K-12 special education teachers served, and (d) the average per-teacher grant amount.~~
4. ~~By May 1, 2010, the State Department of Education shall provide the Legislature with the following: (a) the number and percentage of all K-12 special education teachers in Reading First schools receiving Reading First professional development for each year, 2001-02 to 2008-09, inclusive, and (b) the number and percentage of all K-12 special education classes in Reading First schools that have appropriate reading materials purchased using the state's instructional materials program as set forth in Article 3 (commencing with Section 60240) of Chapter 2 of Part 33 of Division 4 of Title 2 of the Education Code.~~
2. *Of the funds appropriated in this item, \$2,800,000 shall be available for Reading First's statewide and*

regional infrastructure, including its eight regional technical assistance centers. The State Department of Education, in consultation with the technical assistance centers, shall submit an expenditure report by November 30, 2010, to the Department of Finance and the Legislative Analyst's Office. This report shall include, at a minimum, the sum and distribution of participating schools and teachers and expenditure information for each technical assistance center by category of personnel, training, training materials, travel, general expense, and indirect costs.

3. Of the funds appropriated in this item, \$23,712,000 is provided in one-time carryover funds. These funds shall be available to support Reading First-appropriate activities including, but not limited to, teacher training, teacher assessments, student assessments, remedial programs, classroom materials, reading coaches, external resource specialists, and the implementation of research-based instructional strategies, such as response to instruction and intervention. First priority for funding shall be given to support Reading First Special Education Teacher Professional Development (SETPD) Pilot Program applicants. Second priority shall be given to other currently participating local educational agencies to provide an amount equivalent to no more than six years of funding. All participants in Priority 1 and 2, as specified in this provision, shall receive a maximum of \$8,000 per teacher for each equivalent year of funding.

4. Funds that are not needed for the purposes specified in Provisions 2 and 3 shall be available to support Reading First-appropriate activities, including, but not limited to, the activities specified in Provision 3, and shall be distributed to former and current Reading First and Priority 1 Special Education Teacher Professional Development Pilot Program local educational agencies, prorated across all participating teachers.

SEC. 406. Item 6110-134-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

1	6110-134-0890—For local assistance, Department of Educa-	
2	tion, payable from the Federal Trust Fund.....	1,737,878,000
3		2,751,266,000
4	Schedule:	
5	(1) 10.30.006-Statewide System of School	
6	Support.....	10,000,000
7	(2) 10.30.014-Title I, Corrective Action—	
8	Local Educational Agencies.....	54,872,000
9		119,744,000
10	(2.5) 10.30.015-Title I, Corrective Ac-	
11	tion—Local Educational Agencies,	
12	American Recovery and Reinvestment	
13	Act.....	44,996,000
14	(3) 10.30.004-School Improvement Grants,	
15	Corrective Action.....	61,462,000
16		74,672,000
17	(3.5) 10.30.016—School Improvement	
18	Grant, Corrective Action, American	
19	Recovery and Reinvestment Act.....	346,348,000
20	(4) 10.30.060-Title I-ESEA.....	1,611,544,000
21		1,615,544,000
22	(5) 10.30.061-Title I—ESEA, American	
23	Recovery and Reinvestment Act.....	539,962,000
24	Provisions:	
25	1. In administering the accountability system required	
26	by this item, the State Department of Education shall	
27	align the forms, processes, and procedures required	
28	of local educational agencies in a manner that they	
29	may be utilized for the purposes of implementing the	
30	Public Schools Accountability Act of 1999, as estab-	
31	lished by Chapter 6.1 (commencing with Section	
32	52050) of Part 28 of Division 4 of Title 2 of the Edu-	
33	cation Code, so that duplication of effort is minimized	
34	at the local level.	
35	2. The funds appropriated in Schedule (1) shall be	
36	available for the purposes established by Article 4.2	
37	(commencing with Section 52059) of Chapter 6.1 of	
38	Part 28 of Division 4 of Title 2 of the Education Code.	
39	4. The State Department of Education shall provide to	
40	the Legislature, the Legislative Analyst's Office, and	

the Department of Finance; a letter by April 15, 2010, reporting expenditures and anticipated savings for each schedule, based on available information.

5. ~~The funds appropriated in Schedules (2) and (3) shall be available for purposes established by Article 3.1 (commencing with Section 52055.57(c)) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code.~~

6. The funds appropriated in this item shall be considered offsetting revenues within the meaning of subdivision (e) of Section 17556 of the Government Code for any reimbursable mandated cost claims for district assistance and intervention teams and other technical assistance providers. Local educational agencies accepting funding from this item shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from this item.

7. *The funds appropriated in Schedules (2) and (2.5) shall be distributed according to the Title I basic grant formula. Of the funds appropriated in Schedule (2), \$64,872,000 are one-time carryover funds.*

8. *The funds appropriated in Schedules (3) and (3.5) are for purposes of Title I, Part A, Section 1116 and 1117 of the federal No Child Left Behind Act (P.L. 107-110) and shall first be used to fund the LEA Corrective Action program established by Article 3.1 (commencing with Section 52055.57) of Chapter 6.1 of Part 28 of Division 4 of Title 2 of the Education Code, with the remainder to be apportioned to programs pursuant to legislation. Of the funds appropriated in Schedule (3), \$13,210,000 are one-time carryover funds.*

9. *Of the funds appropriated in Schedule (4), \$4,000,000 is provided in one-time carryover funds to support the existing program.*

SEC. 407. *Item 6110-136-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:*

1	6110-136-0890—For local assistance, Department of Education,	
2	Program 10.30-Instruction, payable from the Federal Trust	
3	Fund.....	14,190,000
4		20,499,000
5	Schedule:	
6	(1) 10.30.065-McKinney-Vento Homeless	
7	Children Education.....	7,193,000
8		12,712,000
9	(2) 10.30.030-Title I-Even Start Program....	6,997,000
10		7,787,000
11	Provisions:	
12	1. Of the funds appropriated in Schedule (1), \$400,000	
13	is provided in one-time carryover funds to support the	
14	existing program.	
15	2. Of the funds appropriated in Schedule (2), \$790,000	
16	is provided in one-time carryover funds to support the	
17	existing program.	
18		
19	SEC. 408. Item 6110-140-0001 of Section 2.00 of the Budget	
20	Act of 2009 is amended to read:	
21		
22	6110-140-0001—For local assistance, Department of Education	
23	(Proposition 98), Program 20-Instructional Support.....	0
24	Schedule:	
25	(1) 20.80.001-Student Friendly Services....	500,000
26	(2) 20.90.001.020-California School Infor-	
27	mation Services Administration.....	4,444,000
28		3,899,000
29	(3) 20.90.001.030-California School Infor-	
30	mation Services Administration Indepen-	
31	dent Project Oversight.....	150,000
32	(4) Amount payable from the Educational	
33	Telecommunication Fund (Item 6110-	
34	140-0349).....	-5,094,000
35		-4,549,000
36	Provisions:	
37	1. The Superintendent of Public Instruction shall allocate	
38	the funds appropriated in Schedule (1) for the Student	
39	Friendly Services program.	

2. The funds appropriated in Schedule (2) shall be for allocation to the Fiscal Crisis and Management Assistance Team for costs associated with administration of the California School Information Services project.
3. The Superintendent of Public Instruction shall allocate the funds appropriated in Schedule (3) to the Sacramento County Office of Education, which shall use the funds to contract for independent project oversight of the California School Information Services (CSIS) program. The independent project oversight shall include the submission of quarterly project reports on the progress of the CSIS program to the Legislature, the Department of Finance, the Superintendent of Public Instruction, the State Board of Education, the Governor, the Legislative Analyst's Office, and the Fiscal Crisis and Management Assistance Team for the duration of the program implementation. These reports shall include, but not be limited to, information on: (a) CSIS capacity for additional district cohorts, (b) readiness of self-identified districts for participation in new CSIS cohorts, (c) CSIS operations budget, and (d) CSIS readiness to implement additional phases of state reporting and records transfer.
- ~~4. Of the funds appropriated in Schedule (2), \$545,000 is available on a three-year limited-term basis to support positions and administrative costs associated with the implementation plan developed pursuant to Provision 5 of Item 6110-101-0349 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006).~~
5. The State Department of Education and ~~CSIS~~ *the California School Information Services* shall jointly report by October 1, 2009, to the Department of Finance, the Legislative Analyst's Office, and the budget committees of the Legislature on the workload activities performed by each entity to prepare for the implementation of ~~CALPADS~~ *the California Longitudinal Pupil Achievement Data System (CALPADS)*.

SEC. 409. Item 6110-140-0349 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-140-0349—For local assistance, Department of Education,	
for payment to Item 6110-140-0001, payable from the	
Educational Telecommunication Fund.....	5,094,000
	4,549,000

SEC. 410. Item 6110-156-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-156-0890—For local assistance, Department of Education,	
Program 10.50.010.001-Adult Education, payable from	
the Federal Trust Fund.....	75,126,000
	79,082,000

Provisions:

1. Under any grant awarded by the State Department of Education under this item to a qualifying community-based organization to provide adult basic education in English as a Second Language and English as a Second Language-Citizenship classes, the department shall make an initial payment to the organization of 25 percent of the amount of the grant. In order to qualify for an advance payment, a community-based organization shall submit an expenditure plan and shall guarantee that appropriate standards of educational quality and fiscal accountability are maintained. In addition, reimbursement of claims shall be distributed on a quarterly basis. The department shall withhold 10 percent of the final payment of a grant as described in this provision until all claims for that community-based organization have been submitted for final payment.
2. (a) Notwithstanding any other provision of law, all nonlocal educational agencies (non-LEA) receiving greater than \$500,000 pursuant to this item shall submit an annual organizational audit, as specified, to the State Department of Education, Office of External Audits.

All audits shall be performed by one of the following: (1) a certified public accountant possessing a valid license to practice within California, (2) a member of the State Department of Education's department's staff of auditors, or (3) in-

house auditors, if the entity receiving funds pursuant to this item is a public agency, and if the public agency has internal staff that performs auditing functions and meets the tests of independence found in Government Auditing Standards issued by the Comptroller General of the United States.

The audit shall be in accordance with State Department of Education audit guidelines and Office of Management and Budget (OMB), Circular No. A-133, Audits of States, Local Governments, and Non-Profit Organizations.

Non-LEA entities receiving funds pursuant to this item shall submit the annual audit no later than six months from the end of the agency fiscal year. If, for any reason, the contract is terminated during the contract period, the audit shall cover the period from the beginning of the contract through the date of termination.

Non-LEA entities receiving funds pursuant to this item shall be held liable for all ~~State Department of Education~~ *department* costs incurred in obtaining an independent audit if the contractor fails to produce or submit an acceptable audit.

- (b) Notwithstanding any other provision of law, the State Department of Education shall annually submit to the Governor, Joint Legislative Budget Committee, and Joint Legislative Audit Committee limited-scope audit reports of all subrecipients it is responsible for monitoring that receive between \$25,000 and ~~\$300,000~~ \$500,000 of federal awards, and that do not have an organizationwide audit performed. These limited-scope audits shall be conducted in accordance with the State Department of Education audit guidelines and OMB, Circular No. A-133. The ~~State Department of Education~~ *department* may charge audit costs to applicable federal awards, as authorized by OMB, Circular No. A-133 Section 230(b)(2).

1 The limited-scope audits shall include agreed-upon
2 upon procedures engagements conducted in accordance
3 with either American Institute of Certified
4 Public Accountants (AICPA) generally accepted
5 auditing standards or attestation standards, and
6 address one or more of the following types of
7 compliance requirements: allowed or unallowed
8 activities, allowable costs and cost principles, eligibility,
9 matching, level of effort, earmarking, and
10 reporting.

11 The ~~State Department of Education~~ *department*
12 shall contract for the limited-scope audits with a
13 certified public accountant possessing a valid license
14 to practice within the state or with an independent
15 auditor.

- 16 3. On or before March 1 of each year, the State Department
17 of Education shall report to the appropriate subcommittees
18 of the Assembly Committee on Budget and the Senate Committee
19 on Budget and Fiscal Review on the following aspects of Title II
20 of the federal Workforce Investment Act of 1998: (a) the makeup
21 of those adult education providers that applied for competitive
22 grants under Title II and those that obtained grants, by size,
23 geographic location, and type (school districts, community colleges,
24 community-based organizations, or other local entities), (b) the
25 extent to which participating programs were able to meet planned
26 performance targets, and (c) a breakdown of the types of courses
27 (English as a Second Language (ESL), ESL-Citizenship, adult basic
28 education, or adult secondary education) included in the
29 performance targets of participating agencies.

30 It is the intent of the Legislature that the Legislature
31 and the department utilize the information provided pursuant
32 to this provision to (a) evaluate whether any changes need to be
33 made to improve the implementation of the accountability-based
34 funding system under Title II and (b) evaluate the feasibility of
35 any future expansion of the accountability-based funding system
36 using state funds.

4. The State Department of Education shall continue to ensure that outcome measures for State Department of Mental Health and State Department of Developmental Services clients are set at a level where these clients will continue to be eligible for adult education services in the current fiscal year and beyond to the full extent authorized under federal law. The State Department of Education shall also consult with the State Department of Mental Health, State Department of Developmental Services, and Department of Finance for this purpose.

5. *Of the funds appropriated in this item, \$3,088,000 is provided in one-time carryover funds.*

SEC. 411. Item 6110-161-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-161-0001—For local assistance, Department of Education (Proposition 98), Program 10.60-Special Education Programs for Exceptional Children..... ~~3,121,060,000~~
3,149,874,000

Schedule:

- (1) 10.60.050.003-Special education instruction..... ~~3,050,415,000~~
3,079,229,000
- (2) 10.60.050.080-Early Education Program for Individuals with Exceptional Needs..... 85,040,000
- (3) Reimbursements for Early Education Program, Part C..... -14,395,000

Provisions:

1. Funds appropriated by this item are for transfer by the Controller to Section A of the State School Fund, in lieu of the amount that otherwise would be appropriated for transfer from the General Fund in the State Treasury to Section A of the State School Fund for the 2009–10 fiscal year pursuant to Sections 14002 and 41301 of the Education Code, for apportionment pursuant to Part 30 (commencing with Section 56000)

- 1 of Division 4 of Title 2 of the Education Code, super-
2 seding all prior law.
- 3 2. Of the funds appropriated in Schedule (1), up to
4 ~~\$13,154,000~~ *\$13,151,000*, plus any cost-of-living ad-
5 justment, shall be available for the purchase, repair,
6 and inventory maintenance of specialized books, ma-
7 terials, and equipment for pupils with low-incidence
8 disabilities, as defined in Section 56026.5 of the Edu-
9 cation Code.
- 10 3. Of the funds appropriated in Schedule (1), up to
11 ~~\$10,049,000~~ *\$10,047,000*, plus any cost-of-living ad-
12 justment, shall be available for the purposes of voca-
13 tional training and job placement for special education
14 pupils through Project Workability I pursuant to Arti-
15 cle 3 (commencing with Section 56470) of Chapter
16 4.5 of Part 30 of Division 4 of Title 2 of the Education
17 Code. As a condition of receiving these funds, each
18 local educational agency shall certify that the amount
19 of nonfederal resources, exclusive of funds received
20 pursuant to this provision, devoted to the provision of
21 vocational education for special education pupils shall
22 be maintained at or above the level provided in the
23 1984–85 fiscal year. The Superintendent of Public
24 Instruction may waive this requirement for local edu-
25 cational agencies that demonstrate that the requirement
26 would impose a severe hardship.
- 27 4. Of the funds appropriated in Schedule (1), up to
28 ~~\$5,242,000~~ *\$5,241,000*, plus any cost-of-living adjust-
29 ment (COLA), shall be available for regional occupa-
30 tional centers and programs that serve pupils having
31 disabilities; up to ~~\$87,640,000~~ *\$87,623,000*, plus any
32 COLA, shall be available for regionalized program
33 specialist services; and up to ~~\$2,597,000~~ *\$2,596,000*,
34 plus any COLA, shall be available for small special
35 education local plan areas (SELPA) pursuant to Sec-
36 tion 56836.24 of the Education Code.
- 37 5. Of the funds appropriated in Schedule (1), up to
38 \$3,000,000 is provided for extraordinary costs associ-
39 ated with single placements in nonpublic, nonsectarian
40 schools, pursuant to Section 56836.21 of the Education

Code. Pursuant to legislation, these funds shall also provide reimbursement for costs associated with pupils residing in licensed children's institutes.

6. Of the funds appropriated in Schedule (1), up to \$205,022,000, plus any cost-of-living adjustment (COLA), is available to fund the costs of children placed in licensed children's institutions who attend nonpublic schools based on the funding formula authorized in Chapter 914 of the Statutes of 2004.

7. Funds available for infant units shall be allocated with the following average number of pupils per unit:

- (a) For special classes and centers—16.
- (b) For resource specialist programs—24.
- (c) For designated instructional services—16.

8. Notwithstanding any other provision of law, early education programs for infants and toddlers shall be offered for 200 days. Funds appropriated in Schedule (2) shall be allocated by the State Department of Education for the 2009–10 fiscal year to those programs receiving allocations for instructional units pursuant to Section 56432 of the Education Code for the Early Education Program for Individuals with Exceptional Needs operated pursuant to Chapter 4.4 (commencing with Section 56425) of Part 30 of Division 4 of Title 2 of the Education Code, based on computing 200-day entitlements. Notwithstanding any other provision of law, funds in Schedule (2) shall be used only for the purposes specified in Provisions 10 and 11.

9. Notwithstanding any other provision of law, state funds appropriated in Schedule (2) in excess of the amount necessary to fund the deficiated entitlements pursuant to Section 56432 of the Education Code and Provision 10 shall be available for allocation by the State Department of Education to local educational agencies for the operation of programs serving solely low-incidence infants and toddlers pursuant to Title 14 (commencing with Section 95000) of the Government Code. These funds shall be allocated to each local educational agency for each solely low-incidence child through age two in excess of the number of solely low-

1 incidence children through age two served by the local
2 educational agency during the 1992–93 fiscal year and
3 reported on the April 1993 pupil count. These funds
4 shall only be allocated if the amount of reimbursement
5 received from the State Department of Developmental
6 Services is insufficient to fully fund the costs of oper-
7 ating the Early Intervention Program, as authorized
8 by Title 14 (commencing with Section 95000) of the
9 Government Code.

- 10 10. The State Department of Education, through coordina-
11 tion with the special education local plan areas, shall
12 ensure local interagency coordination and collaboration
13 in the provision of early intervention services, includ-
14 ing local training activities, child-find activities, public
15 awareness, and the family resource center activities.
- 16 11. Funds appropriated in this item, unless otherwise
17 specified, are available for the sole purpose of funding
18 2009–10 special education program costs and shall
19 not be used to fund any prior year adjustments, claims,
20 or costs.
- 21 12. Of the amount provided in Schedule (1), up to
22 \$188,000, plus any cost-of-living adjustment, shall be
23 available to fully fund the declining enrollment of
24 necessary small special education local plan areas
25 pursuant to Chapter 551 of the Statutes of 2001.
- 26 13. Pursuant to Section 56427 of the Education Code, of
27 the funds appropriated in Schedule (1), up to
28 \$2,324,000 may be used to provide funding for infant
29 programs, and may be used for those programs that
30 do not qualify for funding pursuant to Section 56432
31 of the Education Code.
- 32 14. Of the funds appropriated in Schedule (1), up to
33 \$29,478,000 shall be allocated to local educational
34 agencies for the purposes of Project Workability I.
- 35 15. Of the funds appropriated in Schedule (1), up to
36 \$1,700,000 shall be used to provide specialized ser-
37 vices to pupils with low-incidence disabilities, as de-
38 fined in Section 56026.5 of the Education Code.
- 39 16. Of the funds appropriated in Schedule (1), up to
40 \$1,117,000 shall be used for a personnel development

1 program. This program shall include state-sponsored
2 staff development for special education personnel to
3 have the necessary content knowledge and skills to
4 serve children with disabilities. This funding may in-
5 clude training and services targeting special education
6 teachers and related service personnel that teach core
7 academic or multiple subjects to meet the applicable
8 special education requirements of the Individuals with
9 Disabilities Education Improvement Act of 2004 (20
10 U.S.C. Sec. 1400 et seq.).

- 11 17. Of the funds appropriated in Schedule (1), up to
12 \$200,000 shall be used for research and training in
13 cross-cultural assessments.
- 14 18. Of the amount specified in Schedule (1), up to
15 \$31,000,000 shall be used to provide mental health
16 services required by an individual education plan
17 pursuant to the federal Individuals with Disabilities
18 Education Improvement Act of 2004 (20 U.S.C. Sec.
19 1400 et seq.) and pursuant to Chapter 493 of the
20 Statutes of 2004.
- 21 19. Of the amount provided in Schedule (1), \$0 is provided
22 for cost-of-living adjustments.
- 23 20. Of the amount provided in Schedule (2), \$0 is provided
24 for cost-of-living adjustments.
- 25 21. Of the amount appropriated in this item, up to
26 \$1,480,000 is available for the state's share of costs
27 in the settlement of *Emma C. v. Delaine Eastin, et al.*
28 (N.D. Cal. No. C96-4179TEH). The State Department
29 of Education shall report by January 1, 2010, to the
30 fiscal committees of both houses of the Legislature,
31 the Department of Finance, and the Legislative Ana-
32 lyst's Office on the planned use of the additional spe-
33 cial education funds provided to the Ravenswood Ele-
34 mentary School District pursuant to this settlement.
35 The report shall also provide the State Department of
36 Education's best estimate of when this supplemental
37 funding will no longer be required by the court. The
38 State Department of Education shall comply with the
39 requirements of Section 948 of the Government Code

1 in any further request for funds to satisfy this settle-
2 ment.

3 22. Of the funds appropriated in this item, up to
4 \$2,500,000 shall be allocated directly to special educa-
5 tion local plan areas for a personnel development
6 program that meets the highly qualified teacher require-
7 ments and ensures that all personnel necessary to carry
8 out this part are appropriately and adequately prepared,
9 subject to the requirements of paragraph (14) of subdivi-
10 sion (a) of Section 612 of the federal Individuals
11 with Disabilities Education Improvement Act of 2004
12 (20 U.S.C. Sec. 1400 et seq.), and Section 2122 of the
13 federal Elementary and Secondary Education Act of
14 1965 (20 U.S.C. Sec. 6301 et seq.). The local in-ser-
15 vice programs shall include a parent training compo-
16 nent and may include a staff training component, and
17 may include a special education teacher component
18 for special education service personnel and paraprofes-
19 sionals, consistent with state certification and licensing
20 requirements. Use of these funds shall be described in
21 the local plans. These funds may be used to provide
22 training in alternative dispute resolution and the local
23 mediation of disputes. All programs are to include
24 evaluation components.

25 23. Notwithstanding any other provision of law, state
26 funds appropriated in Schedule (1) in excess of the
27 amount necessary to fund the defined entitlement shall
28 be to fulfill other shortages in entitlements budgeted
29 in this schedule by the State Department of Education,
30 upon Department of Finance approval, to any program
31 funded under Schedule (1).

32 24. The funds appropriated in this item reflect a reduction
33 to the base funding of ~~0.3~~ 0.32 percent for a statewide
34 decline in average daily attendance.

35 25. Of the funds appropriated in Schedule (1), the amount
36 resulting from increases in federal funds reflected in
37 the calculation performed in paragraph (1) of subdivi-
38 sion (c) of Section 56836.08 of the Education Code
39 shall be allocated based on an equal amount per aver-
40 age daily attendance and added to each special educa-

tion local plan area's base funding, consistent with paragraphs (1) to (4), inclusive, of subdivision (b) of Section 56836.158 of the Education Code. This amount may be up to ~~\$32,300,000~~ \$53,458,000 less adjustments for state operations and preschool. When the final amount is determined, the State Department of Education shall provide this information to the Department of Finance and the budget committees of each house of the Legislature.

SEC. 412. Item 6110-161-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-161-0890—For local assistance, Department of Education, payable from the Federal Trust Fund, Program 10.60-Special Education Programs for Exceptional Children.....		1,205,067,000
		1,860,208,000
Schedule:		
(1) 10.60.050.012-Local Agency Entitlements, IDEA Special Education.....	1,026,258,000	
	1,047,413,000	
(2) 10.60.050.013-State Agency Entitlements, IDEA Special Education.....	1,821,000	
(3) 10.60.050.015-IDEA, Local Entitlements, Preschool Program.....	63,437,000	
(4) 10.60.050.021-IDEA, State Level Activities.....	70,720,000	
(5) 10.60.050.030-P.L. 99-457, Preschool Grant Program.....	37,841,000	
(6) 10.60.050.031-IDEA, State Improvement Grant, Special Education.....	2,196,000	
(7) 10.60.050.032-IDEA, Family Empowerment Centers.....	2,794,000	
(8) 10.60.050.033-IDEA, Part B—Grants to States—ARRA.....	613,472,000	
(9) 10.60.050.034-IDEA, Part B—Preschool Grants—ARRA.....	20,514,000	

Provisions:

1. If the funds for Part B of the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) (IDEA) that are actually received by the state exceed ~~\$1,198,276,000~~ *\$1,219,431,000*, at least 95 percent of the funds received in excess of that amount shall be allocated for local entitlements and to state agencies with approved local plans. Up to 5 percent of the amount received in excess of ~~\$1,198,276,000~~ *\$1,219,431,000* may be used for state administrative expenses upon approval of the Department of Finance. If the funds for Part B of the IDEA that are actually received by the state are less than ~~\$1,198,276,000~~ *\$1,219,431,000*, the reduction shall be taken in other state-level activities.
2. The funds appropriated in Schedule (2) shall be distributed to state-operated programs serving disabled children from 3 to 21 years of age, inclusive. In accordance with federal law, the funds appropriated in Schedules (1) and (2) shall be distributed to local and state agencies on the basis of the federal Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.) permanent formula.
4. Of the funds appropriated in Schedule (4), up to \$300,000 shall be used to develop and test procedures, materials, and training for alternative dispute resolution in special education.
5. Of the funds appropriated by Schedule (5) for the Preschool Grant Program, \$1,228,000 shall be used for in-service training and shall include a parent training component and may, in addition, include a staff training program. These funds may be used to provide training in alternative dispute resolution and the local mediation of disputes. This program shall include state-sponsored and local components.
6. Of the funds appropriated in this item, \$1,420,000 is available for local assistance grants to monitor local educational agency compliance with state and federal laws and regulations governing special education. This funding level is to be used to continue the facilitated

1 reviews and, to the extent consistent with the key
2 performance indicators developed by the State Depart-
3 ment of Education, these activities *shall* focus on local
4 educational agencies identified by the United States
5 Department of Education’s Office of Special Education
6 Programs.

- 7 7. The funds appropriated in Schedule (7) shall be used
8 for the purposes of Family Empowerment Centers on
9 Disability pursuant to Chapter 690 of the Statutes of
10 2001.
- 11 8. Notwithstanding the notification requirements listed
12 in subdivision (d) of Section 26.00, the Department
13 of Finance is authorized to approve intraschedule
14 transfers of funds within this item submitted by the
15 State Department of Education for the purposes of
16 ensuring that special education funding provided in
17 this item is appropriated in accordance with the statu-
18 tory funding formula required by the federal Individu-
19 als with Disabilities Education Act (20 U.S.C. Sec.
20 1400 et seq.) and the special education funding formula
21 required pursuant to Chapter 7.2 (commencing with
22 Section 56836) of Part 30 of Division 4 of Title 2 of
23 the Education Code, without waiting 30 days, but shall
24 provide a notice to the Legislature each time a transfer
25 occurs.
- 26 9. Of the funds appropriated in Schedule (4), \$69,000,000
27 shall be used exclusively to support mental health
28 services that are provided during the 2009–10 fiscal
29 year by county mental health agencies pursuant to
30 Chapter 26.5 (commencing with Section 7570) of Di-
31 vision 7 of Title 1 of the Government Code and that
32 are included within an individualized education pro-
33 gram pursuant to the federal Individuals with Disabil-
34 ities Education Act (20 U.S.C. Sec. 1400 et seq.). Each
35 county office of education receiving these funds shall
36 contract, on behalf of special education local planning
37 areas in its county, with the county mental health
38 agency to provide specified mental health services.
39 This funding shall be considered offsetting revenues
40 within the meaning of subdivision (e) of Section 17556

of the Government Code for any reimbursable mandated cost claim for provision of the mental health services provided in the 2009–10 fiscal year. Amounts allocated to each county office of education shall reflect the share of the \$69,000,000 in federal special education funds provided to that county in the 2004–05 fiscal year for mental health services provided pursuant to Chapter 26.5 (commencing with Section 7570) of Division 7 of Title 1 of the Government Code.

10. Of the funds appropriated in Schedule (6), \$2,196,000 is provided on a one-time basis for science-based professional development as part of the State Personnel Development grant.

11. *Of the funds appropriated in Schedule (1), up to \$3,894,000 shall be available for transfer to the State Special Schools for student transportation allowances. However, of these funds, the State Department of Education (SDE) shall obtain written approval from the Department of Finance prior to spending \$924,000 to address transportation contract increases in the 2008–09 or 2009–10 fiscal year resulting from fuel and insurance costs. The Department of Finance shall act within 30 days of receiving justification from the SDE for the increased costs.*

SEC. 413. Item 6110-166-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-166-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund for purposes of Article 5 (commencing with Section 54690) of Chapter 9 of Part 29 of Division 4 of Title 2 of the Education Code, Partnership Academies Program.....	23,490,000
Schedule:	
(1) 10.70.070.001-California Partnership Academies.....	23,490,000
(2) 10.70.070.002-“Green” California Partnership Academies.....	4,000,000
	4,438,000

(3) Reimbursements..... -4,000,000
-4,438,000

Provisions:

1. If there are any funds in this item that are not allocated for planning or operational grants, the State Department of Education may allocate those remaining funds as one-time grants to state-funded partnership academies to be used for one-time purposes.
2. The State Department of Education shall not authorize new partnership academies without the approval of the Department of Finance and 30-day notification to the Joint Legislative Budget Committee.
3. Notwithstanding Provisions 1 and 2, the funds appropriated in Schedule (2) shall be available consistent with Article 5 (commencing with Section 54690) of Chapter 9 of Part 29 of Division 4 of Title 2 of the Education Code and pursuant to ~~legislation enacted in the 2008-09 Regular Session Chapter 757 of the Statutes of 2008.~~
4. *Of the funds appropriated in Schedule (2), \$438,000 in reimbursements is provided on a one-time basis to support "Green" Partnership Academies.*

SEC. 414. Item 6110-166-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-166-0890—For local assistance, Department of Education, Program 10.70-Vocational Education, payable from the Federal Trust Fund..... ~~128,813,000~~
139,597,000

Provisions:

1. The funds appropriated in this item include federal Carl D. Perkins Career and Technical Education Act of 2006 funds for the current fiscal year to be transferred to the community colleges by means of interagency agreements for the purpose of funding career technical education programs in community colleges.
2. The State Board of Education and the Board of Governors of the California Community Colleges shall target funds appropriated by this item to provide services to

persons participating in welfare-to-work activities under the CalWORKs program.

3. The Superintendent of Public Instruction shall report, not later than February 1 of each year, to the Joint Legislative Budget Committee and the Director of Finance, describing the amount of carryover funds from this item, reasons for the carryover, and plans to reduce the amount of carryover.

4. *Of the funds appropriated in this item, \$10,784,000 is provided from one-time carryover funds for vocational education programs.*

SEC. 415. Item 6110-167-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-167-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 10.70-Agricultural Career Technical Education Incentive Program established pursuant to Article 7.5 (commencing with Section 52460) of Chapter 9 of Part 28 of Division 4 of Title 2 of the Education Code.....	5,158,000
	5,157,000

Provisions:

1. As a condition of receiving funds appropriated in this item, a school district shall certify to the Superintendent of Public Instruction both of the following:
 - (a) Agricultural Career Technical Education Incentive Program funds shall be expended for the items identified in its application, except that, in items of expenditure classification 4000, only the total cost of expenses shall be required and itemization shall not be required.
 - (b) The school district shall provide at least 50 percent of the cost of the items and costs from expenditure classification 4000, as identified in its application, from other funding sources. This provision does not limit the authority of the Superintendent of Public Instruction to waive the local matching requirement established by subdivision (b) of Section 52461.5 of the Education Code.

2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.
3. Of the amount appropriated in this item, \$0 is provided for a cost-of-living adjustment.

SEC. 416. Item 6110-170-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-170-0001—For local assistance, Department of Education, ~~Program 20-Career Technical Education~~, pursuant to Section 88532 of the Education Code..... 0

Schedule:

(1) ~~Career 20.40.800-Career~~ Technical Education..... ~~18,840,000~~
20,208,000

(2) Reimbursements..... ~~-18,840,000~~
-20,208,000

Provisions:

1. Funding in this item shall be provided through a transfer from Schedule (21) of Item 6870-101-0001, pursuant to an interagency agreement between the Office of the Chancellor of the California Community Colleges and the State Department of Education.
2. *Of the funds appropriated in this item, \$1,368,000 reflects one-time reimbursement authority to complete five projects funded in the 2008–09 fiscal year.*

SEC. 417. Item 6110-181-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-181-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 20.10.025-Educational Technology, programs funded pursuant to Article 15 (commencing with Section 51870) of Chapter 5 of Part 28 of Division 4 and Chapter 3.34 (commencing with Section 44730) of Part 25 of Division 3 of Title 2 of the Education Code..... ~~17,558,000~~
17,555,000

Provisions:

1. Of the funds appropriated in this item, \$0 is for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.
3. As a part of the support system authorized by paragraph (5) of subdivision (a) of Section 51871 of the Education Code, the California Technology Assistance Project regional consortia shall assist school districts in using pupil achievement data to inform instruction and improve pupil learning. The regional consortia shall also support the identification and dissemination of best practices in the area of data-driven instructional improvement.

SEC. 418. Item 6110-181-0140 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-181-0140—For local assistance, Department of Education,
~~Program 20.10-Instructional Support~~, payable from the
 California Environmental License Plate Fund, for purposes
 of Section 21190 of the Public Resources Code..... 360,000
 Schedule:
 (1) 20.10.055-Environmental Education..... 548,000
 (2) Reimbursements..... -188,000

SEC. 419. Item 6110-182-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-182-0001—For local assistance, Department of Education
 (Proposition 98), Program 20.20.030-K-12 High-Speed
 Network..... 10,404,000
 Provisions:
 1. Expenditure authority of no greater than \$15,600,000
 is provided for the K-12 High-Speed Network.
 (a) Of the amount authorized for expenditure in this
 provision, \$1,300,000 of unexpended cash re-
 serves from the following appropriations are
 available to continue management and operation

of the network during the ~~2008–09~~ 2009–10 fiscal year: Item 6440-001-0001, Schedule (a), Provision 44 of Chapter 52; *of the* Statutes of 2000; Item 6440-001-0001, Schedule (1), Provision 24 of Chapter 106; *of the* Statutes of 2001; Item 6440-001-0001, Schedule (1), Provision 24 of Chapter 379; *of the* Statutes of 2002; Item 6440-001-0001, Schedule (1), Provision 22 of Chapter 157; *of the* Statutes of 2003; and Item 6110-182-0001, Chapter 208; *of the* Statutes of 2004.

(b) Of the amount authorized for expenditure in this provision, \$4,600,000 shall be funded by E-rate and California Teleconnect Fund moneys. The lead educational agency or the Corporation for Education Network Initiatives in California (CENIC), or both, shall submit quarterly reports to the Department of Finance and the Legislature on funds received from E-rate and the California Teleconnect Fund.

(c) For the ~~2008–09~~ 2009–10 fiscal year, all major subcontracts of the K–12 High-Speed Network program shall be excluded from both the eligible program costs on which indirect costs are charged and from the calculation of the indirect cost rate based on that year’s data. For purposes of this provision, a major subcontract is defined as a subcontract for services in an amount in excess of \$25,000.

SEC. 420. Item 6110-183-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-183-0890—For local assistance, Department of Education,	
Program 20.10.045-Safe and Drug Free Schools and	
Communities Act (Part A of Title IV of P.L. 107-110),	
payable from the Federal Trust Fund.....	26,931,000
	29,231,000

Provisions:

1. Local educational agencies shall give priority in the expenditure of the funds appropriated in this item to

create comprehensive drug and violence prevention programs that promote school safety, reduce the use of drugs, and create learning environments that are free of alcohol and guns and that support academic achievement for all pupils. In addition to preventing drug and alcohol use, prevention programs will respond to the crisis of violence in our schools by addressing the need to prevent serious crime, violence, and discipline problems. The Superintendent of Public Instruction shall (a) notify local educational agencies of this policy and (b) incorporate the policy into the State Department of Education's compliance review procedures.

2. *Of the funds appropriated in this item, \$2,300,000 is provided from one-time carryover funds for the Safe and Drug Free Schools Program.*

SEC. 421. Item 6110-189-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-189-0001—For local assistance, Department of Education (Proposition 98), Program 20.20.020.005-Instructional Support, for transfer to State Instructional Materials Fund pursuant to Article 3 (commencing with Section 60240) of Chapter 2 of Part 33 of Division 4 of Title 2 of the Education Code (Instructional Materials Block Grant).....	416,338,000
	416,254,000

Provisions:

1. The funds in this item shall be allocated to school districts to purchase standards-aligned instructional materials.
2. Of the funds appropriated in this item, \$0 is provided for the purpose of a cost-of-living adjustment.
3. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.

SEC. 422. Item 6110-193-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-193-0001—For local assistance, State Department of	
Education (Proposition 98), for transfer to Section A of	
the State School Fund, Program 20.60-Staff Develop-	
ment.....	32,387,000
	32,380,000

Schedule:

- | | |
|---|------------|
| (1) 20.60.070-Instructional Support: Bilingual Teacher Training Assistance Program..... | 2,132,000 |
| | 2,131,000 |
| (2) 20.60.060-Instructional Support: Teacher Peer Review..... | 29,854,000 |
| | 29,848,000 |
| (3) 20.60.110-Instructional Support: Improving School Effectiveness-Reader Services for Blind Teachers..... | 401,000 |

Provisions:

1. The amount appropriated in Schedule (1) shall be allocated for the purposes of the Bilingual Teacher Training Assistance Program established by Article 4 (commencing with Section 52180) of Chapter 7 of Part 28 of Division 4 of Title 2 of the Education Code.
2. Of the funds appropriated in Schedule (1), \$0 is for the purpose of providing a cost-of-living adjustment.
3. The funds appropriated in Schedule (2) shall be allocated in accordance with Article 4.5 (commencing with Section 44500) of Chapter 3 of Part 25 of Division 3 of Title 2 of the Education Code. If the funds are insufficient to fully fund growth in this program, the State Department of Education may adjust the per-participant rate to conform to available funds. Funds appropriated in Schedule (2) include \$0 for the purpose of providing a cost-of-living adjustment.
4. The amount appropriated in Schedule (3) shall be allocated for the purposes of the Reader Services for Blind Teachers Program, for transfer to the Reader Employment Fund established by Section 45371 of the Education Code for the purposes of Section 44925 of the Education Code.

5. Of the funds appropriated in Schedule (3), \$0 is for the purpose of providing a cost-of-living adjustment.
6. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.

SEC. 423. Item 6110-193-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-193-0890—For local assistance, Department of Education, Program 20.60-Instructional Support, Part B of Title II of the Elementary and Secondary Education Act (Mathematics and Science Partnership Grants) payable from the Federal Trust Fund..... 21,304,000
27,865,000

Provisions:

1. Of the funds appropriated in this item, \$6,561,000 is provided in one-time carryover funds to support the California Mathematics and Science Partnership grant program.

SEC. 424. Item 6110-195-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-195-0890—For local assistance, Department of Education, Program 20.60-Instructional Support, Part A of Title II of the Elementary and Secondary Education Act (Teacher and Principal Training and Recruiting Fund), payable from the Federal Trust Fund..... 316,836,000

Schedule:

- (1) 20.60.280-Improving Teacher Quality
Local Grants..... 310,932,000
- (2) 20.60.270-Administrator Training Program..... 1,554,000
- (3) 20.60.190.300-California Subject Matter Projects..... 4,350,000

Provisions:

1. The funds appropriated in Schedule (2) shall be for the Administrator Training Program authorized pursuant to Article 4.6 (commencing with Section 44510)

of Chapter 3 of Part 25 of Division 3 of Title 2 of the Education Code.

2. The funds appropriated in Schedule (3) shall be for transfer to the University of California, which shall use the funds for the Subject Matter Projects pursuant to Article 1 (commencing with Section 99200) of Chapter 5 of Part 65 of Division 14 of Title 3 of the Education Code.

3. *Of the funds appropriated in Schedule (2), up to \$500,000 may be used to provide professional development for private school teachers and administrators in accordance with federal law. By October 15, 2010, the State Department of Education shall submit to the appropriate budget and policy committees of the Legislature, the Legislative Analyst's Office, and the Department of Finance a report of the number of private school teachers and administrators served under this provision and the type of professional development provided.*

SEC. 425. Item 6110-196-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-196-0001—For local assistance, Department of Education (Proposition 98), for transfer by the Controller to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction to school districts, county offices of education, and other agencies for the purposes of Proposition 98 educational programs funded in this item, in lieu of the amount that otherwise would be appropriated pursuant to any other statute..... ~~1,928,645,000~~
1,827,110,000

Schedule:

- (1) 30.10.010-Special Program, Child Development, Preschool Education..... ~~429,376,000~~
373,378,000
- (1.5) 30.10.020-Child Care Services..... ~~2,027,364,000~~
2,004,687,000

1	(a) 30.10.020.001-Spe-	
2	cial Program, Child	
3	Development, Gen-	
4	eral Child Develop-	
5	ment Programs.....	779,669,000
6		779,849,000
7	(c) 30.10.020.004-Spe-	
8	cial Program, Child	
9	Development, Mi-	
10	grant Day Care.....	36,246,000
11	(d) 30.10.020.007-Spe-	
12	cial Program, Child	
13	Development, Alter-	
14	native Payment Pro-	
15	gram.....	258,811,000
16	(e) 30.10.020.011-Spe-	
17	cial Program, Child	
18	Development, Alter-	
19	native Payment Pro-	
20	gram—Stage 2.....	427,868,000
21		439,620,000
22	(f) 30.10.020.012-Spe-	
23	cial Program, Child	
24	Development, Alter-	
25	native Payment Pro-	
26	gram—Stage 3 Seta-	
27	side.....	389,429,000
28		393,373,000
29	(g) 30.10.020.008-Spe-	
30	cial Program, Child	
31	Development, Re-	
32	source and Refer-	
33	ral.....	19,438,000
34	(i) 30.10.020.015-Spe-	
35	cial Program, Child	
36	Development, Extend-	
37	ed Day Care.....	31,801,000
38		5,000,000

1	(j)	30.10.020.096-Special	
2		Program, Child Devel-	
3		opment, Allowance for	
4		Handicapped.....	2,011,000
5	(k)	30.10.020.106-Special	
6		Program, Child Devel-	
7		opment, California	
8		Child Care Initia-	
9		tive.....	250,000
10	(l)	30.10.020.901-Spe-	
11		cial Program, Child	
12		Development, Quali-	
13		ty Improvement.....	63,304,000
14			51,552,000
15	(m)	30.10.020.911-Special	
16		Program, Child Devel-	
17		opment, Centralized	
18		Eligibility List.....	7,900,000
19	(n)	30.10.020.920-Special	
20		Program, Child Devel-	
21		opment, Local Plan-	
22		ning Councils.....	6,637,000
23	(o)	30.10.020.014-Special	
24		Program, Child Devel-	
25		opment, Accounts	
26		Payable.....	4,000,000
27	(3)	30.10.020.908-Special Program, Child	
28		Development, Cost-of-Living Adjust-	
29		ments.....	0
30	(4)	30.10.020.909-Special Program, Child	
31		Development, Growth Adjustments.....	18,916,000
32			0
33	(5)	Amount payable from the Federal	
34		Trust Fund (Item 6110-196-0890).....	-547,011,000
35			-550,955,000
36	Provisions:		
37	1. (a)	Notwithstanding any other provision of law, alter-	
38		native payment child care programs shall be sub-	
39		ject to the rate ceilings established in the Regional	
40		Market Rate Survey of California child care and	

development providers for provider payments. When approved pursuant to Section 8447 of the Education Code, any changes to the market rate limits, adjustment factors or regions shall be utilized by the State Department of Education and the State Department of Social Services in various programs under the jurisdiction of either department.

- (b) Notwithstanding any other provision of law, the funds appropriated in this item for the cost of licensed child care services provided through alternative payment or voucher programs including those provided under Article 3 (commencing with Section 8220) and Article 15.5 (commencing with Section 8350) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code shall be used only to reimburse child care costs up to the ~~75th~~ *85th* percentile of the rates charged by providers offering the same type of child care for the same age child in that region ~~effective July 1, 2009,~~ based on the ~~2007~~ *2005* Regional Market Rate Survey data.
2. Of the amount appropriated in Schedule (1), \$50,000,000 is available for ~~Prekindergarten~~ *prekindergarten* and ~~Family Literacy~~ *family literacy* preschool programs pursuant to Chapter 211 of the Statutes of 2006. Of the amount appropriated in Schedule (1), \$5,000,000 is available for the provision of wraparound care to children enrolled in state preschool programs. The Superintendent of Public Instruction shall assign priority for these funds to children enrolled in prekindergarten and family literacy *preschool* programs authorized by Section 8238.4 of the Education Code.
3. Funds in Schedule (1.5)(*l*) shall be reserved for activities to improve the quality and availability of child care, pursuant to the following:
- (a) ~~\$1,964,262~~ *\$1,930,629* is for the schoolage care and resource and referral earmark.

- 1 (b) ~~\$11,062,664~~ *\$10,873,244* is for the infant and
- 2 toddler earmark and shall be used for increasing
- 3 the supply of quality child care for infants and
- 4 toddlers.
- 5 (c) \$2,969,000 in one-time federal funding is avail-
- 6 able for use in the 2009–10 fiscal year. ~~First pri-~~
- 7 ~~ority shall be to fully fund Trustline workload as~~
- 8 ~~determined by the Department of Social Services~~
- 9 ~~in conjunction with the Department of Education.~~
- 10 The remaining funds shall be used for child care
- 11 and development quality expenditures identified
- 12 by the State Department of Education (SDE) and
- 13 approved by the Department of Finance.
- 14 (d) From the remaining funds in Schedule (1.5)(l),
- 15 the following amounts shall be allocated for the
- 16 following purposes: \$4,000,000 to train former
- 17 CalWORKs recipients as child care teachers,
- 18 ~~\$2,700,000~~ *for which administrative costs shall*
- 19 *be minimized to allow for maximum enrollment,*
- 20 *with priority for funding given to programs at*
- 21 *community colleges that have demonstrated high*
- 22 *completion rates; \$2,500,000 for training license-*
- 23 *exempt child care providers, with priority given*
- 24 *to participants serving subsidized children;*
- 25 *\$8,000,000 for contracting with the State Depart-*
- 26 *ment of Social Services (DSS) for increased in-*
- 27 *spections of child care facilities;; \$1,000,000 for*
- 28 *Trustline registration workload (Chapter 3.35*
- 29 *(commencing with Section 1596.60) of Division*
- 30 *2 of the Health and Safety Code);; \$500,000 for*
- 31 *health and safety training for licensed and exempt*
- 32 *child care providers;; \$300,000 for the Health*
- 33 *Hotline;; and \$300,000 to implement a technical*
- 34 *assistance program to child care providers in ac-*
- 35 *cessing financing for renovation, expansion, or*
- 36 *construction of child care facilities. Of the*
- 37 *amounts specified in this provision, first priority*
- 38 *shall be to fully fund Trustline registration work-*
- 39 *load as determined by the DSS in conjunction*
- 40 *with the SDE.*

- 1 4. Of the amount appropriated in Schedule (1.5)(I),
2 \$15,000,000 shall be for child care worker recruitment
3 and retention programs pursuant to Section 8279.7 of
4 the Education Code, and \$320,000 shall be for the
5 Child Development Training Consortium.
- 6 5. (a) The State Department of Education (SDE) shall
7 conduct monthly analyses of CalWORKs Stage
8 2 and Stage 3 caseloads and expenditures and
9 adjust agency contract maximum reimbursement
10 amounts and allocations as necessary to ensure
11 funds are distributed proportionally to need. The
12 SDE shall share monthly caseload analyses with
13 the State Department of Social Services (DSS).
- 14 (b) The SDE shall provide quarterly information re-
15 garding the sufficiency of funding for Stage 2 and
16 Stage 3 to DSS. The SDE shall provide caseloads,
17 expenditures, allocations, unit costs, family fees,
18 and other key variables and assumptions used in
19 determining the sufficiency of state allocations.
20 Detailed backup by month and on a county-by-
21 county basis shall be provided to the DSS at least
22 on a quarterly basis for comparisons with Stage
23 1 trends.
- 24 (c) By September 30 and March 30 of each year, the
25 SDE shall ensure that detailed caseload and expen-
26 diture data, through the most recent period for
27 Stage 2 and Stage 3 Setaside along with all rele-
28 vant assumptions, is provided to DSS to facilitate
29 budget development. The detailed data provided
30 shall include actual and projected monthly
31 caseload from Stage 2 scheduled to time off of
32 their transitional child care benefit from the last
33 actual month reported by agencies through the
34 next two fiscal years as well as local attrition ex-
35 perience. DSS shall utilize data provided by the
36 SDE, including key variables from the prior fiscal
37 year and the first two months of the current fiscal
38 year, to provide coordinated estimates in
39 November of each year for each of the three stages
40 of care for preparation of the Governor's Budget,

and shall utilize data from at least the first two quarters of the current fiscal year, and any additional monthly data as they become available for preparation of the May Revision. The DSS shall share its assumptions and methodology with the SDE in the preparation of the Governor's Budget.

(d) The SDE shall coordinate with the DSS to identify annual general subsidized child care program expenditures for Temporary Assistance for Needy Families-eligible children. The SDE shall modify existing reporting forms as necessary to capture this data.

(e) The SDE shall provide to the DSS, upon request, access to the information and data elements necessary to comply with federal reporting requirements and any other information deemed necessary to improve estimation of child care budgeting needs.

6. Notwithstanding any other provision of law, the funds in Schedule (1.5)(f) are reserved exclusively for continuing child care for the following: (a) former CalWORKs families who are working, have left cash aid, and have exhausted their two-year eligibility for transitional services in either Stage 1 or 2 pursuant to subdivision (c) of Section 8351 or Section 8353 of the Education Code, respectively, but still meet eligibility requirements for receipt of subsidized child care services, and (b) families who received lump-sum diversion payments or diversion services under Section 11266.5 of the Welfare and Institutions Code and have spent two years in Stage 2 off of cash aid, but still meet eligibility requirements for receipt of subsidized child care services.

7. Nonfederal funds appropriated in this item which have been budgeted to meet the state's Temporary Assistance for Needy Families maintenance-of-effort requirement established pursuant to the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (P.L. 104-193) may not be expended in any

way that would cause their disqualification as a federally allowable maintenance-of-effort expenditure.

8. (a) Notwithstanding any other provision of law, the income eligibility limits pursuant to Section 8263.1 of the Education Code that were applicable ~~to in effect for the 2007–08 and 2008–09 fiscal years~~ shall remain in effect for the 2009–10 fiscal year.

- (b) Notwithstanding any other provision of law, the ~~State Department of Social Services shall, in consultation with the State Department of Education, adjust the family fee schedule for child care providers to reflect a state median income of \$66,166 annually for a family of four. The fee schedule shall retain a flat fee per family and begin at income levels at which families currently begin paying fees. The revised fee schedule shall increase the lowest fees by \$2 per day and continue to increase fees on a sliding scale up to a maximum of 10 percent of income at a lower point in the income eligibility spectrum when compared to the current schedule family fee schedule that was in effect for the 2007–08 and 2008–09 fiscal years shall remain in effect for the 2009–10 fiscal year, and shall retain a flat fee per family.~~

- (c) Notwithstanding any other provision of law, the State Department of Social Services shall submit the revised family fee schedule for approval by the Department of Finance no later than 15 days after enactment of the 2009 Budget Act. ~~The Department of Finance shall approve or revise the fee schedule within 30 days of receipt and shall notify the Department of Education of the approved fee schedule, which shall implement the new fee schedule for the 2009–10 fiscal year without delay.~~

9. Of the amounts provided in this item, \$0 is available to provide a cost-of-living adjustment for Schedules (1), (1.5)(a), (1.5)(c), (1.5)(d), (1.5)(g), (1.5)(i), (1.5)(j), and (1.5)(n). The maximum standard reim-

bursement rate shall not exceed \$34.38 per day for general child care programs and \$21.22 per day for state preschool programs. Furthermore, the migrant child care and Cal-SAFE child care programs shall adhere to the maximum standard reimbursement rates as prescribed for the general child care programs. All other rates and adjustment factors shall conform.

10. Of the amounts provided in this item, ~~\$18,916,000~~ \$0 is available to provide a growth adjustment for Schedules (1), (1.5)(a), (1.5)(c), (1.5)(d), (1.5)(i), and (1.5)(j).
11. Notwithstanding any other provision of law, the funds in Schedule (1.5)(m) are appropriated exclusively for developing and maintaining a centralized eligibility list in each county pursuant to Section 8227 of the Education Code. By November 1 of each year, the State Department of Education shall provide a status report on implementing eligibility lists in each county, which shall include, but is not limited to, the cost of implementation and operation of the eligibility lists in each county, and number of children and families on the list for each county.
12. Notwithstanding Section 8278.3 of the Education Code or any other provision of law, up to \$5,000,000 of the Child Care Facilities Revolving Fund balance may be allocated for use on a one-time basis for renovations and repairs to meet health and safety standards, to comply with the federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and to perform emergency repairs, that were the result of an unforeseen event and are necessary to maintain continued normal operation of the child care and development program. These funds shall be made available to school districts and contracting agencies that provide subsidized center-based services pursuant to the Child Care and Development Services Act (Chapter 2 (commencing with Section 8200) of Part 6 of Division 1 of Title 1 of the Education Code).
13. (a) The State Department of Education (*SDE*) shall collect the following information *through the use*

1 *of consultant services, based on consultation with*
2 *the State Department of Social Services regarding*
3 *the selection of the data to be collected. The SDE*
4 *shall require the contractor to coordinate with*
5 *the Alternative Payment Monitoring Unit to vali-*
6 *date the findings of the survey for those data ele-*
7 *ments that can be collected during the course of*
8 *regularly scheduled compliance reviews of center-*
9 *-based child care and alternative payment providers*
10 ~~*based on consultation with the Department of*~~
11 ~~*Social Services regarding the selection of the data*~~
12 ~~*to be collected, to the extent practicable:*~~

13 (1) Profiles of the subsidized population, disag-
14 gregated for each major program, *including,*
15 *but not limited to, half-day State Preschool,*
16 *General Child Care, Alternative Payment*
17 *Programs, and CalWORKs Child Care, suf-*
18 *ficient to determine both the numbers and*
19 *ages of children and proportion of subsidized*
20 *children and families by type of subsidized*
21 *care (e.g., family child care homes, centers,*
22 *license-exempt providers); by family income*
23 *and family size; the numbers and proportions*
24 *of children utilizing more than one type of*
25 *subsidized child care; the work status of par-*
26 *ents of children receiving subsidized child*
27 *care; the numbers and proportions of children*
28 *in full-time care and in part-time care; the*
29 *ages of children at time of entry into a subsi-*
30 *dized child care program; and the numbers*
31 *and proportions of foster children receiving*
32 *subsidized child care.*

33 (2) For each major program, *as specified in*
34 *paragraph (1), quantify the family fees col-*
35 ~~*lected, quantify estimate the family co-pay-*~~
36 ~~*ments copayments collected, provide the*~~
37 *number and proportion of children and fami-*
38 *lies paying family fees, estimate the number*
39 *and proportion of children and families pay-*
40 ~~*ing co-payments, subject to copayments and*~~

- the number of children and families exempted from family fees ~~per by income category by level and~~ family size. In addition, identify and classify the reasons for fee exemptions.
- (3) Within and across all major programs, *as specified in paragraph (1)*, determine the monthly rates of attrition of families. Also, for each program determine the number and percentage of families receiving child care ~~due to the following reasons: by category of eligibility and need pursuant to subdivision (a) of Section 8263 of the Education, Code, including, but not limited to,~~ child protective services, foster care, seeking work, working, or in training programs leading to work, and the relative distribution of families entering the system by family income and size.
- (4) For each alternative payment-based program, determine the incidence, relative proportion, and dollar magnitude of actual care payments per child and family that are in excess of or below the current mean-market rates. Classify the occurrences in percentage increments from the mean-market rate.
- (b) The data shall be provided to the *State* Department of Social Services, the Department of Finance, and the Legislative Analyst no later than September 1, 2010.
14. *The funds appropriated in Schedule (1.5)(i), 30.10.020.015 for Extended Day Care, shall be available to provide services until August 31, 2009. It is the intent of the Legislature that any child who may be displaced as a result of this program's becoming inoperative be provided services under the state's subsidized child care, After School Education and Safety Program, or both.*
15. *Notwithstanding any other provision of law, funds in Schedule (1.5)(o) are available for accounts payable for non-CalWORKs child care programs and to reimburse non-CalWORKs alternative payment programs*

SEC. 426. Item 6110-196-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-196-0890—For local assistance, Department of Education, payable from the Federal Trust Fund.....	547,011,000
	<i>550,955,000</i>

Provisions:

1. Notwithstanding any other provision of law, the funds appropriated in this item, to the extent permissible under federal law, are subject to Section 8262 of the Education Code.
2. Of the funds appropriated in this item, \$10,000,000 is from the transfer of funds, pursuant to Item 5180-402, from the federal Temporary Assistance for Needy Families (TANF) Block Grant administered by the State Department of Social Services to the federal Child Care and Development Block Grant for Stage 2 child care.
4. Of the funds appropriated in this item, \$2,969,000 is available on a one-time basis for quality projects from federal Child Care and Development Block Grant funds appropriated prior to the 2009 federal fiscal year.
5. Of the funds appropriated in this item, ~~\$19,293,000~~ \$27,423,000 is available on a one-time basis for CalWORKs Stage 3 child care from federal Child Care and Development Block Grant funds appropriated prior to the 2009 federal fiscal year.

SEC. 427. Item 6110-197-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-197-0890—For local assistance, Department of Education,	
payable from the Federal Trust Fund, 21st Century Com-	
munity Learning Centers Program.....	129,371,000
	<i>169,371,000</i>

Schedule:

(1) 30.10.080-Special Program, Child De-	
velopment, 21st Century Community	
Learning Centers Program.....	129,371,000
	<i>169,371,000</i>

Provisions:

1. The State Department of Education shall provide an annual report to the Legislature and Department of Finance by November 1 of each year that identifies by cohort for the previous fiscal year each high school program funded, the amount of the annual grant and actual funds expended, the numbers of pupils served and planned to be served, and the average cost per pupil per day. If the average cost per pupil per day exceeds \$10 per day, the department shall provide specific reasons why the costs are justified and cannot be reduced. In calculating cost per pupil per day, the department shall not count attendance unless the pupil is under the direct supervision of after school program staff funded through the grant. Additionally, the department shall calculate cost per day on the basis of the equivalent of a three-hour day for 180 days per school year. The department shall also identify for each program, as applicable, if the attendance of pupils is restricted to any particular subgroup of pupils at the school in which the program is located. If such restrictions exist, the department shall provide an explanation of the circumstances and necessity therefor.
2. *Of the funding provided in this item, \$40,000,000 is available from one-time carryover funds from prior years.*
3. *The State Department of Education shall, by March 1, 2010, provide a report to the Department of Finance and the Legislative Analyst's Office that includes, allocation and expenditure data for all programs funded*

in this item in the past three years, the reasons for carryover, and the planned uses of carryover funds.

SEC. 428. Item 6110-198-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-198-0001—For local assistance, Department of Education (Proposition 98), for transfer by the Controller to Section A of the State School Fund, for allocation to school districts and county offices of education, in lieu of the amount that otherwise would be appropriated pursuant to statute....

	57,917,000
	57,905,000

Schedule:

(1) 20.60.220-Cal-SAFE Academic and Supportive Services.....	19,804,000
	19,800,000
(2) 20.60.221-All Services for Non-converting Pregnant Minors Programs.....	13,330,000
	13,327,000
(3) 30.10.020-Cal-SAFE Child Care.....	24,783,000
	24,778,000

Provisions:

1. The amounts appropriated in Schedules (1), (2), and (3) are based on estimates of the amounts required by existing programs for operation of Cal-SAFE programs in the current year. By October 31 of each year, the State Department of Education (SDE) shall submit to the Department of Finance current expenditure data for both the prior fiscal year and the current year showing each agency's allocation and supporting detail including average daily attendance and child care attendance and enrollment data. The SDE shall also provide estimates of average daily attendance and child care to be provided in the budget year.
2. Funds appropriated in Schedule (2) are available to provide funding for all child care, as well as both academic and supportive services for programs choosing to retain their Pregnant Minors Program revenue limit. Notwithstanding any other provision of law, the State Department of Education shall compute

allocations to these agencies using the respective agencies' 1998–99 Pregnant Minors Program revenue limits. Further, notwithstanding any other provision of law, programs which choose to retain their Pregnant Minors Program revenue limit rather than convert to the Cal-SAFE revenue limit must provide child care within the revenue limit funding for children of pupils comprising base year average daily attendance.

3. Of the funds appropriated in this item, \$0 is for the purpose of providing a cost-of-living adjustment.
4. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance. No funds may be allocated for the addition of new Cal-SAFE agencies unless an existing grantee ceases providing services. Any allocations for new agencies shall be limited to the amount previously allocated to the agency withdrawing services; however, in no case shall allocations for authorized agencies exceed the amount appropriated in this item.
5. Notwithstanding Section 26.00, the State Department of Education may transfer expenditure authority between Schedule (1) Cal-SAFE Academic and Supportive Services and Schedule (2) All Services for Nonconverting Pregnant Minors Programs, to accurately reflect expenditures in these programs, upon approval of the Department of Finance and notification of the Legislature.
6. In the event that funding in this item is insufficient to serve all eligible pupils, the State Department of Education shall prorate the amounts in Schedules (1) and (2).

SEC. 429. Item 6110-198-0890 is added to Section 2.00 of the Budget Act of 2009, to read:

6110-198-0890—For local assistance, Department of Education, American Recovery and Reinvestment Act (P.L. 111-5), payable from the Federal Trust Fund..... 110,137,000

Schedule:

(2)	30.10.020.001-Special Program, Child Development, General Child Development Programs.....	17,347,000
(2.4)	30.10.020.004-Special Program, Child Development, Migrant Day Care.....	3,087,000
(3)	30.10.020.007-Special Program, Child Development, Alternative Payment Program.....	15,743,000
(3.5)	30.10.020.011-Special Program, Child Development, Alternative Payment Program-Stage 2.....	36,272,000
(3.6)	30.10.020.012-Special Program, Child Development, Alternative Payment Program-Stage 3.....	18,905,000
(4)	30.10.020.901-Special Program, Child Development, Quality Improvement.....	18,783,000

Provisions:

1. Of the funds appropriated in Schedule (4), \$5,273,000 is for activities to improve the quality of child care for infants and toddlers and \$1,758,000 is for the improvement of the quality of care for children from birth to five years of age, as identified by the State Department of Education and approved by the Department of Finance.
2. The State Department of Education shall ensure that provider contracts include provisions that advise families receiving services with American Recovery and Reinvestment Act funds in General Child Care, Migrant Day Care, and Alternative Payment programs that they will cease to receive services when these funds are exhausted, unless they can be accommodated through attrition in capped programs funded with Proposition 98 General Fund funds, federal base Child Care and Development Block Grant funds, or both.

SEC. 430. Item 6110-201-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-201-0890—For local assistance, Department of Education, Program 30.20-Child Nutrition, payable from the Federal Trust Fund..... 1,757,891,000
2,034,917,000

Schedule:

(1) 30.20.010-Child Nutrition Programs..... 1,725,441,000
2,002,467,000

(2) 30.20.040-Summer Food Service Program..... 32,450,000

Provisions:

1. Of the amount appropriated in Schedule (1), \$3,989,000 is provided from one-time federal funds for Fresh Fruit and Vegetable Program grants to local educational agencies.

SEC. 431. Item 6110-202-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-202-0001—For local assistance, Department of Education, Program 30.20.010-Child Nutrition Programs..... 11,075,000

Provisions:

1. Funds appropriated are for child nutrition programs pursuant to Section 41311 of the Education Code. Claims for reimbursement of meals pursuant to this appropriation shall be submitted no later than September 30, ~~2009~~ 2010, to be eligible for reimbursement.
2. Funds appropriated shall be available for allocation in accordance with Section 49536 of the Education Code, except that the allocation shall not be made based on all meals served, but based on the number of meals that are served and that qualify as free or reduced-price meals in accordance with Sections 49501, 49550, and 49552 of the Education Code.
3. Of the funds appropriated in this item, \$0 is for the purpose of providing a cost-of-living adjustment.
4. Of the funds appropriated in this item, \$195,000 is for the purpose of providing a growth adjustment due to an increase in the projected number of meals served.

SEC. 432. Item 6110-203-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-203-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, Program 30.20.010-Child Nutrition Programs, established pursuant to Sections 41311, 49501, 49536, 49550, 49552, and 49559 of the Education Code..... 134,044,000

Schedule:

(1) 30.20.010-Child Nutrition Programs.... 134,386,000

(2) Reimbursements..... -342,000

Provisions:

1. Funds appropriated in Schedule (1) shall be allocated pursuant to Section 41311 of the Education Code. Claims for reimbursement of meals pursuant to this allocation shall be submitted by school districts on or before September 30, ~~2009~~ 2010, to be eligible for reimbursement.
2. Funds designated for child nutrition programs in Schedule (1) shall be allocated in accordance with Section 49536 of the Education Code; however, the allocation shall be based not on all meals served, but on the number of meals that are served and that qualify as free or reduced-price meals in accordance with Sections 49501, 49550, and 49552 of the Education Code.
4. Of the funds appropriated in this item, \$0 is for the purpose of providing a cost-of-living adjustment.
5. Of the funds appropriated in this item, \$8,359,000 is for the purpose of providing a growth adjustment due to an increase in the projected number of meals served.
6. If the appropriation in this item is insufficient to fully fund all eligible reimbursement claims pursuant to Section 49430.5 of the Education Code, the State Department of Education shall reimburse eligible claims at a prorated share of the funds appropriated ~~by~~ in this item.
7. The State Department of Education shall notify the Department of Finance in writing 30 days prior to

paying prior year reimbursement claims from this item pursuant to Section 16304.1 of the Government Code. No reimbursements shall be made prior to final approval of the Department of Finance.

SEC. 433. Item 6110-211-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-211-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, ~~Program 20.60.036~~ for Categorical Programs for charter schools, in accordance with Section 47634.1 of the Education Code..... 226,501,000

Schedule:

(1) *20.60.036.003-Instructional Support:*

Categorical Programs for Charter Schools..... 163,970,000

(2) *20.60.036.006-Instructional Support:*

Economic Impact Aid for Charter Schools..... 62,531,000

Provisions:

1. The State Department of Education shall provide an estimate of average daily attendance expected to be claimed for this item for the 2010–11 fiscal year to the Department of Finance and the Legislative Analyst’s Office by October 1 of each year, for use in developing the Governor’s Budget. The State Department of Education shall provide an update of the estimate by March 31 of each year, for preparation of the May Revision.
2. An additional \$5,947,000 in expenditures for ~~this item~~ *Schedule (1)* has been deferred until the 2010–11 fiscal year.
3. *Funds appropriated in Schedule (1) are provided solely for the purpose for which categorical block grants are calculated pursuant to paragraph (1) of subdivision (c) of Section 47634.1 of the Education Code. Funds appropriated in Schedule (2) are provided solely for the purpose for which categorical block grants are calculated pursuant to paragraph (2) of*

subdivision (c) of Section 47634.1 of the Education Code.

4. The Department of Finance may transfer funds between Schedules (1) and (2) as needed to ensure that the Charter School Categorical Block Grant is funded consistent with the provisions of Section 47634.1 of the Education Code, provided that the total amount allocated to charter schools in Schedule (1) is the result of applying the same proportional cut that other categorical programs received pursuant to Section 12.42. The Department of Finance may not authorize such a transfer sooner than 30 days after notifying the Chairperson of the Joint Legislative Budget Committee in writing of the necessity to authorize the transfer.

SEC. 434. Item 6110-220-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-220-0001—For local assistance, Department of Education (Proposition 98), for transfer to Section A of the State School Fund, ~~Charter~~ 20.60.036-Charter School Facility Grant Program, as set forth in Section 47614.5 of the Education Code..... 56,720,000

SEC. 435. Item 6110-228-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-228-0001—For local assistance, Department of Education (Proposition 98), Program 20.60.020.011-School Safety Block Grant, for transfer by the Controller to Section A of the State School Fund for allocation by the Superintendent of Public Instruction..... 61,010,000
60,990,000

Provisions:

1. The funds appropriated are available to fund block grants for middle and junior high schools and high schools that serve grades 8 to 12, inclusive, pursuant to Article 3.6 (commencing with Section 32228) and Article 3.8 (commencing with Section 32239.5) of Chapter 2 of Part 19 of Division 1 of Title 1 of the

Education Code. An additional \$38,720,000 in expenditures for this purpose has been deferred to the ~~2009-10~~ 2010-11 fiscal year. Of the amount deferred, \$1,000,000 shall be made available for county offices of education pursuant to Article 3.6 (commencing with Section 32228) of Chapter 2 of Part 19 of Division 1 of Title 1 of the Education Code.

2. Of the funds appropriated in this item, \$0 is for the purpose of providing a cost-of-living adjustment.
3. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.
4. The funds appropriated in this item shall be considered offsetting revenues within the meaning of subdivision (e) of Section 17556 of the Government Code for any reimbursable mandated cost claim for comprehensive school safety plans. Local educational agencies accepting funding from this item shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from this item.

SEC. 436. Item 6110-240-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-240-0001—For local assistance, Department of Education	
(Proposition 98).....	3,048,000
	3,047,000

Schedule:

- | | |
|---|----------------------|
| (1) 10.80.030-Instruction: International Baccalaureate Diploma Program..... | 1,269,000 |
| (2) 20.70-Instructional Support: Assessments (Advanced Placement Fee Waiver Program)..... | 1,779,000 |
| | 1,778,000 |

Provisions:

1. The funds appropriated in Schedule (1) shall be for the International Baccalaureate Diploma Program authorized by Chapter 12.5 (commencing with Section 52920) of Part 28 of Division 4 of Title 2 of the Education Code.

2. The funds appropriated in Schedule (2) shall be for grants for advanced placement examination fees as authorized by Chapter 8.3 (commencing with Section 52240) of Part 28 of Division 4 of Title 2 of the Education Code.
3. Of the funds appropriated in this item, \$0 is for the purpose of providing a cost-of-living adjustment.
4. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.

SEC. 437. Item 6110-240-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-240-0890—For local assistance, Department of Education,
 Program 20.70.010-Instructional Support: Advanced
 Placement Fee Waiver, payable from the Federal Trust
 Fund..... 3,670,000
 Provisions:

1. Funding shall be used to fully satisfy the demand for advanced placement examination fee reimbursements for low-income pupils. Any funding remaining after the demand for advanced placement examination fee reimbursements has been fully satisfied may be used on a one-time basis for preadvanced placement activities as specified under the conditions of the federal grant application through which these funds were authorized. Use of funding for this alternative purpose shall neither create nor imply any continuing obligation to fund the alternative activities beyond the ~~2008–09~~ 2009–10 fiscal year.

SEC. 438. Item 6110-243-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-243-0001—For local assistance, Department of Education
(Proposition 98), *Program 10-Instruction*, for transfer by
the Controller to Section A of the State School Fund for
allocation by the Superintendent of Public Instruction for
the unscheduled Pupil Retention Block Grant pursuant to
Article 2 (commencing with Section 41505) of Chapter
3.2 of Part 24 of Division 3 of Title 2 of the Education
Code..... 95,666,000
95,647,000

Provisions:

1. Of the funds appropriated in this item, \$0 is provided for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.

SEC. 439. Item 6110-244-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-244-0001—For local assistance, Department of Education
(Proposition 98), Program 20.60 for transfer by the Controller to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction for the Teacher Credentialing Block Grant pursuant to Article 4 (commencing with Section 41520) of Chapter 3.2 of Part 24 of Division 3 of Title 2 of the Education Code..... ~~132,443,000~~
112,773,000

Provisions:

1. Of the funds appropriated in this item, \$3,329,000 is available to support the Teacher Credentialing Block Grant regional infrastructure.
2. It is the intent of the Legislature that first-year holders of preliminary teaching credentials, as defined in subdivision (b) of Section 44259 of the Education Code, be afforded first priority for funding appropriated in this item. To the extent that any funds appropriated in this item remain after all first-year holders of preliminary teaching credentials have been served, those funds may be used to serve second-year holders of preliminary teaching credentials.

3. If funds are insufficient to service all second-year holders of preliminary teaching credentials, the State Department of Education shall prorate the funds to conform to the amount remaining in this item, consistent with Provision 2.
4. Of the funds appropriated in this item, \$0 is provided for a cost-of-living adjustment for a total per-participant rate of \$4,069.
5. The funds in this item shall be made available only to beginning teachers, as defined in Section 44279.1 of the Education Code, serving in their first or second year of service in California.

SEC. 440. Item 6110-245-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-245-0001—For local assistance, Department of Education (Proposition 98), Program 20.60 for transfer by the Controller to Section A of the State School Fund, for allocation by the Superintendent of Public Instruction for the Professional Development Block Grant, pursuant to Article 5 (commencing with Section 41530) of Chapter 3.2 of Part 24 of Division 3 of Title 2 of the Education Code	272,469,000
	272,414,000

Provisions:

1. Of the funds appropriated in this item, \$0 is for the purpose of providing a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base of ~~0.3~~ 0.32 percent for a decline in state-wide average daily attendance.
3. Local educational agencies may use these funds to award incentive grants to teachers with certification by the National Board for Professional Teaching Standards that are teaching in low-performing schools pursuant to Article 13 (commencing with Section 44395) of Chapter 2 of Part 25 of Division 3 of Title 2 of the Education Code.

SEC. 441. Item 6110-246-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-246-0001—For local assistance, Department of Education
(Proposition 98), *Program 10-Instruction*, for transfer by
the Controller to Section A of the State School Fund for
allocation by the Superintendent of Public Instruction for
the unscheduled Targeted Instructional Improvement Block
Grant pursuant to Article 6 (commencing with Section
41540) of Chapter 3.2 of Part 24 of Division 3 of Title 2
of the Education Code..... ~~966,809,000~~
966,595,000

Provisions:

1. Of the funds appropriated in this item, \$0 is provided for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.
3. Notwithstanding any other provision of law, an additional \$100,118,000 in expenditures for this item has been deferred until the following fiscal year.

SEC. 442. Item 6110-247-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-247-0001—For local assistance, Department of Education
(Proposition 98), *Program 10-Instruction*, for transfer by
the Controller to Section A of the State School Fund for
allocation by the Superintendent of Public Instruction for
the unscheduled School and Library Improvement Block
Grant pursuant to Article 7 (commencing with Section
41570) of Chapter 3.2 of Part 24 of Division 3 of Title 2
of the Education Code..... ~~461,642,000~~
461,549,000

Provisions:

1. Of the funds appropriated in this item, \$0 is provided for the purpose of a cost-of-living adjustment.
2. The funds appropriated in this item also reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.

SEC. 443. Item 6110-248-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-248-0001—For local assistance, Department of Education
(Proposition 98), *Program 20-Instructional Support*, for
transfer by the Controller to Section A of the State School
Fund for allocation by the Superintendent of Public Instruc-
tion for the unscheduled School Safety Consolidated
Competitive Grant pursuant to Article 3 (commencing
with Section 41510) of Chapter 3.2 of Part 24 of Division
3 of Title 2 of the Education Code..... 17,902,000
17,899,000

Provisions:

1. Of the funds appropriated in this item, \$0 is for the purpose of providing a cost-of-living adjustment.
2. The funds appropriated in this item reflect a reduction to the base funding of ~~0.3~~ 0.32 percent for a statewide decline in average daily attendance.
3. Notwithstanding any other provision of law, up to \$400,000 of the funds appropriated in this item may be used for contracts with county offices of education to provide regional training in safe school planning and crisis response and for statewide coordination of such training.
4. The funds contained in this item shall first be used to offset any state-mandated reimbursable costs that may otherwise be claimed for the ~~state-mandates-reim-~~
~~bursable~~ process of implementing Chapter 996 of the Statutes of 1999. Local educational agencies accepting funding from this item shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from this item.

SEC. 444. Item 6110-268-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6110-268-0001—For local assistance, Department of Education
(Proposition 98), *Program 20-Instructional Support*, Child
Oral Health Assessments Program, pursuant to ~~Article 4~~
(commencing with Section ~~49452.8~~) 49452.8 of Chapter
~~9 of Part 27~~ of the Education Code..... 4,400,000

Provisions:

1. The funds appropriated in this item shall be considered offsetting revenues within the meaning of subdivision (e) of Section 17556 of the Government Code for any reimbursable mandated cost claim for child oral health assessments. Local educational agencies accepting funding from this item shall reduce their estimated and actual mandate reimbursement claims by the amount of funding provided to them from this item.

SEC. 445. Item 6110-488 is added to Section 2.00 of the Budget Act of 2009, to read:

6110-488—Reappropriation (Proposition 98), Department of Education. Notwithstanding any other provision of law, the balances from the following items are available for reappropriation for the purposes specified in Provisions 1 and 2 of this item:

0001—General Fund

- (1) \$282,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for preschool education and child care programs in Schedules (1) and (1.5) of Item 6110-196-0001 of the Budget Act of 2004 (Ch. 208, Stats. 2004)
- (2) \$143,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for preschool education and child care programs in Schedules (1) and (1.5) of Item 6110-196-0001 of the Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)
- (3) \$2,546,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for preschool education and child care programs in Schedules (1) and (1.5) of Item 6110-196-0001 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)
- (4) \$32,017,000 or whatever greater or lesser amount reflects the unexpended balance of the amount appropriated for CalWORKs Stage 2 and Stage 3 child care programs in Schedules (1.5)(e) and (1.5)(f) of Item 6110-196-0001 of the Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

- 1 (5) \$2,911,000 or whatever greater or lesser amount re-
2 flects the unexpended balance of the amount appropri-
3 ated for preschool education and child care programs
4 in Schedules (1) and (1.5) of Item 6110-196-0001 of
5 the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
6 (6) \$27,636,000 or whatever greater or lesser amount
7 reflects the unexpended balance of the amount appro-
8 priated for CalWORKs Stage 2 and Stage 3 child care
9 programs in Schedules (1.5)(e) and (1.5)(f) of Item
10 6110-196-0001 of the Budget Act of 2008 (Chs. 268
11 and 269, Stats. 2008).
12 (7) \$18,400,000 or whatever greater or lesser amount
13 reflects the unexpended balance of the amount appro-
14 priated for the Charter School Facility Grant Program
15 in Item 6110-220-0001 of the Budget Act of 2009 (Ch.
16 1, 2009–10 3rd Ex. Sess.)

17 *Provisions:*

- 18 1. The sum of \$65,535,000 is hereby reappropriated to
19 the State Department of Education for transfer by the
20 Controller to Section A of the State School Fund for
21 allocation by the Superintendent of Public Instruction
22 for the purpose of funding State Preschool Programs.
23 The amount reappropriated pursuant to this provision
24 is for use in the 2009–10 fiscal year.
25 2. The sum of \$18,400,000 is hereby reappropriated to
26 the State Department of Education for transfer by the
27 Controller to Section A of the State School Fund for
28 allocation by the Superintendent of Public Instruction
29 for the purpose of funding school district revenue
30 limit apportionments. The amount reappropriated
31 pursuant to this provision is for use in the 2009–10
32 fiscal year.

33
34 SEC. 446. Item 6110-490 is added to Section 2.00 of the Budget
35 Act of 2009, to read:

6110-490—Reappropriation, Department of Education. The balances of the appropriations provided in the following citations are reappropriated for the purposes and subject to the limitations, unless otherwise specified, provided for in the appropriations.

0660—Public Buildings Construction Fund

(1) Item 6110-301-0660, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 6110-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(1) 80.80.50-Career and Technical Education Complex and Service Yard—Construction and equipment

(2) Item 6110-301-0660, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(2) 80.80.052-New Gymnasium and Pool Center—Construction and equipment

(3) Item 6110-301-0660, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

(1) 80.80.089-Kitchen and Dining Hall Renovation—Construction

(4) Item 6110-301-0660, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

(2) 80.80.50-Career and Technical Education Complex and Service Yard—Construction

(5) Item 6110-301-0660, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

(3) 80.80.089-Kitchen and Dining Hall Renovation—Construction

SEC. 447. Item 6110-492 is added to Section 2.00 of the Budget Act of 2009, to read:

6110-492—Reappropriation, Department of Education. Notwithstanding any other provision of law, the balance of the appropriation provided in Item 6110-001-3085 of the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008) is reappropriated and shall be available for encumbrance or expenditure until June 30, 2010, to contract with mental health/educational professionals to support the involvement of local educational agencies in local mental health planning and implementation efforts pursuant to the Mental Health Services Act (Proposition 63, as approved by the voters at the November 2, 2004, statewide general election).

SEC. 448. Item 6360-011-0407 is added to Section 2.00 of the Budget Act of 2009, to read:

6360-011-0407—For transfer by the Controller from the Teacher Credentials Fund to the General Fund..... (540,000)
Provisions:
1. Notwithstanding any other provision of law, the Controller shall transfer \$540,000 from the Teacher Credentials Fund to the General Fund to reflect recovery of 20 percent of the General Fund transfer provided in the 2005–06 fiscal year.

SEC. 449. Item 6360-011-0408 is added to Section 2.00 of the Budget Act of 2009, to read:

6360-011-0408—For transfer by the Controller from the Test Development and Administration Account, Teacher Credentials Fund to the General Fund..... (2,160,000)
Provisions:
1. Notwithstanding any other provision of law, the Controller shall transfer \$2,160,000 from the Test Development and Administration Account, Teacher Credentials Fund to the General Fund to reflect recovery of 80 percent of the General Fund transfer provided in the 2005–06 fiscal year.

SEC. 450. Item 6440-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6440-001-0001—For support of University of California..... 2,641,355,000
2,374,705,000

Schedule:

- (1) Support..... 2,557,859,000
3,157,859,000
- (2) Charles R. Drew Medical Program..... 8,738,000
- (3) Acquired Immune Deficiency Syndrome
(AIDS) Research..... 9,214,000
- (4) Student Financial Aid..... 52,199,000
- (5) Loan Repayments..... 5,105,000
- (6) San Diego Supercomputer Center..... 3,240,000
- (7) Subject Matter Projects..... 5,000,000
- (7.5) *Unallocated Reduction*..... -266,650,000
- (8) *Reimbursements —American Recov-*
ery and Reinvestment Act of 2009
(Public Law 111-5)..... -600,000,000

Provisions:

- 1. The appropriations made in this item are exempt from Section 31.00.
- 2. None of the funds appropriated in this item may be expended to initiate major capital outlay projects by contract without prior legislative approval, except for cogeneration and energy conservation projects. Funds appropriated in this item may be used for capital expenditures as well as payment of debt service for such exempted capital projects. Exempted projects shall be reported in a manner consistent with the reporting procedures in subdivision (e) of Section 28.00.

Funds appropriated in this item may be used for capital expenditures as well as payment of debt service associated with the Energy Partnership Program, whereby the University of California will receive financial incentives from state investor-owned utilities to undertake energy conservation projects. The use of state operations funding for these energy savings projects may not infringe on the university's funding for its instructional support activities. The Director of Finance may authorize program expenditures for the list of planned projects not sooner than 30 days after notification in writing is provided to the chairpersons of

1 the committees in each house of the Legislature that
2 consider appropriations, the chairpersons of the com-
3 mittees and the appropriate subcommittees in each
4 house of the Legislature that consider the State Budget,
5 and the Chairperson of the Joint Legislative Budget
6 Committee. The list of planned projects submitted for
7 approval for a given funding cycle should be ~~all-inclu-~~
8 ~~sive~~ *all inclusive* and may include projects that even-
9 tually may not be initiated during that funding cycle.
10 A project not included on the list of planned projects
11 for that funding cycle, but with which the university
12 wishes to proceed during the budget year, may be
13 treated as an exempted project as described above and
14 reported in a manner consistent with the reporting
15 procedures in subdivision (e) of Section 28.00. No
16 later than November 15 of each year, the university
17 shall prepare a report describing the identified projects
18 funded under the Energy Partnership Program in the
19 prior year. The report shall include the cost of each
20 project, how the cost is being funded, including the
21 amount funded from support budget funds and in-
22 vestor-owned utility incentive awards, and the project-
23 ed amount of energy savings. These reports will sunset
24 at the end of the program.

- 25 3. The funds appropriated in Schedule (2) are for support
26 of University of California programs of clinical health
27 sciences education, research, and public service, con-
28 ducted in conjunction with the Charles R. Drew Uni-
29 versity of Medicine and Science, as provided for in
30 Sections 1, 2, and 3 of Chapter 1140 of the Statutes
31 of 1973. Of the funds appropriated, \$500,000 is con-
32 tingent upon the provision by the University of Cali-
33 fornia of an equal amount of matching funds from its
34 own resources. The University of California shall en-
35 sure by adequate controls that funds appropriated in
36 Schedule (2) are expended solely for the support of
37 the program identified in that schedule.
- 38 4. The funds appropriated in Schedule (4) are for support
39 of Program 45, Student Financial Aid, to provide fi-
40 nancial aid to needy students attending the University

of California, according to the nationally accepted needs analysis methodology.

5. Of the funds appropriated in Schedule (1), \$2,762,129 is for payment of energy service contracts in connection with the issuance of State Public Works Board Energy Efficiency Revenue Bonds.

6. Of the funds appropriated in Schedule (5), \$2,700,000 is for repayment of \$25,000,000 borrowed by the University of California for deferred maintenance in the 1994–95 fiscal year. It is the intent of the Legislature to annually provide funds for that repayment purpose through the 2009–10 fiscal year.

7. Of the funds appropriated in Schedule (5), \$2,405,000 is for repayment of \$25,000,000 borrowed by the University of California for deferred maintenance in the 1995–96 fiscal year. It is the intent of the Legislature to annually provide funds for that repayment purpose through the 2010–11 fiscal year.

8. Of the funds appropriated in Schedule (1), \$1,897,200 is for the California State Summer School for Mathematics and Science (COSMOS). The University of California shall report on the outcomes and effectiveness of COSMOS every five years, commencing April 1, 2011.

9. Of the funds appropriated in Schedule (1), \$1,125,000 is provided to continue support for science and math resource centers to implement the Science and Math Teacher Initiative. The University of California (UC) shall report to the Legislature and the Governor by February 1 of each year on its progress toward increasing the quality and supply of science and mathematics teachers resulting from implementation of the Science and Math Teacher Initiative. This report shall include the following information: (a) annual number of mathematics and science teachers awarded credentials (by each UC campus) beginning with the 2004–05 academic year (before the state first provided funding for the initiative), (b) an expenditure plan on the use of the funds appropriated in this item, (c) the effectiveness of the initiative’s different components and activ-

ities, including an identification of best practices, and
(d) the job placement of students who earn a mathematics or science teaching credential, including the location of the K–12 school of employment and whether it is in an urban, rural, or suburban setting.

10. ~~The Legislature expects the University of California to enroll a total of 198,520 state-supported full-time equivalent students (FTES) during the 2009–10 academic year, inclusive of the enrollments specified in Provisions 11 and 12. This enrollment target does not include nonresident students and students enrolled in non-state-supported summer programs. The University of California shall report to the Legislature by March 15, 2010, on whether it has met the its 2009–10 academic year enrollment goal goals.~~

11. Of the funds appropriated in Schedule (1), \$2,025,000 is to support 135 full-time equivalent students in the Program in Medical Education (PRIME) at the Irvine, Davis, San Diego, San Francisco, and Los Angeles campuses. The primary purpose of this program is to train physicians specifically to serve in underrepresented communities. The University of California shall report to the Legislature by March 15, 2010, on (a) its progress in implementing the PRIME program and (b) the use of the total funds provided for this program from both state and nonstate resources.

12. (a) The amount in Schedule (1) includes \$1,720,000 to continue increased enrollments in nursing programs beyond the levels served in 2005–06 as follows:

(1) \$1,617,000 for full cost of a minimum of 122 full-time equivalent students in entry-level clinical nursing programs and entry-level master’s degree programs in nursing.

(2) \$103,000 for supplemental marginal cost funding for 20 master’s degree level nursing students.

(b) ~~The university~~ *University of California* shall report to the Legislature and the Governor by May 1, 2010, on the total enrollment in the 2009–10

academic year in the baccalaureate nursing degree programs, the entry-level clinical and master's degree nursing programs, and the master's of science nursing degree programs.

13. It is the intent of the Legislature that the University of California submit an annual report by March 1 of each year through the 2010–11 fiscal year to the Joint Legislative Budget Committee, legislative fiscal subcommittees, and the Department of Finance on the university's progress in reforming its compensation policies and practices, reflecting the criteria specified in Provision 27 of Item 6440-001-0001 of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006).
14. Of the funds appropriated in Schedule (1), \$19,300,000 is for student academic preparation and education programs (SAPEP) and is to be matched with \$12,000,000 from existing university resources, for a total of \$31,300,000 for these programs. The University of California shall provide a plan to the Department of Finance and the fiscal committees of each house of the Legislature for expenditure of both state and university funds for SAPEP by September 1 of each year.
16. To the extent funds are available in Schedule (1), and contingent upon the receipt of an equal amount of private sector matching funds, the University of California shall allocate funds for the California Institute for Quantitative Biosciences for the purpose of enhancing innovative, cost-effective technologies and therapies in health care.
17. It is the intent of the Legislature that to the greatest extent possible the University of California limit any reductions to student support services and that the university examine the possibility of increases to the student-faculty ratio and phase out support of excess course units.
18. On or before April 1, 2009, the Director of Finance and the Treasurer shall determine whether the provisions of Section 99030 of the Government Code have been met.

19. On or before January 10, 2010, the University of California shall provide a report to the Legislature and the Governor that describes the implementation of the unallocated reductions in the Budget Act of 2008 (Chs. 268 and 269, Stats. 2008) and in the Budget Act of 2009 (Ch. 1, 2009–10 3rd Ex. Sess.). The report shall include, but not be limited to, information about changes in enrollment and in personnel costs, including compensation increases and decreases; receipt of funds related to the American Recovery and Reinvestment Act of 2009; new fee revenues; and other general purpose funding sources.
20. Notwithstanding Provision 14, if the budget reductions contained in this item require the University of California to make budget reductions to the Student Academic Preparation and Education Programs (SAPEP), those reductions shall be no greater, proportionally, than the reduction in overall General Fund support. The university shall submit a report on the reductions made to SAPEP to the fiscal committees of each house of the Legislature no later than April 1, 2010.
21. Of the funds appropriated in Schedule (1), \$150,000 in one-time funds shall be used for the Institute of Governmental Studies of the University of California at Berkeley.

SEC. 451. Item 6440-001-0234 of Section 2.00 of the Budget Act of 2009 is amended to read:

6440-001-0234—For support of the University of California, payable from the Research Account, Cigarette and Tobacco Products Surtax Fund.....	14,515,000 13,090,000
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Provisions:

- The funds appropriated in this item are to be allocated for research regarding tobacco use, with an emphasis on youth and young adults, including, but not limited to, the effects of active and passive smoking, the primary prevention of tobacco use, nicotine addiction

1 and its treatment, the effects of secondhand smoke,
2 and public health issues surrounding tobacco use.

- 3 2. Notwithstanding subdivision (a) of Section 1.80, the
4 funds appropriated in this item are available for expen-
5 diture until June 30, 2012.

6
7 *SEC. 452. Item 6440-402 is added to Section 2.00 of the Budget*
8 *Act of 2009, to read:*

9
10 *6440-402—University of California, Santa Barbara and San*
11 *Diego Campuses.*

12 *Provisions:*

- 13 1. (a) *The Santa Barbara Campus-Bioengineering*
14 *Building is authorized pursuant to Section*
15 *15820.21 of the Government Code.*
16 (b) *The San Diego Campus-Marine Ecosystem Sens-*
17 *ing, Observation, and Modeling Laboratory is*
18 *authorized pursuant to Section 15821.21 of the*
19 *Government Code.*

20
21 *SEC. 453. Item 6440-491 is added to Section 2.00 of the Budget*
22 *Act of 2009, to read:*

23
24 *6440-491—Reappropriation, University of California. The*
25 *balances of the appropriations provided in the following*
26 *citations are reappropriated for the purposes and subject*
27 *to the limitations in those appropriations, unless otherwise*
28 *specified:*

29 *0660—Public Buildings Construction Fund*

- 30 (1) *Item 6440-301-0660, Budget Act of 2007 (Chs. 171*
31 *and 172, Stats. 2007)*

32 *Berkeley Campus:*

- 33 (2) *99.01.260-Helios Energy Research Facility—Pre-*
34 *liminary plans, working drawings, construction,*
35 *and equipment*

36 *6048—2006 University Capital Outlay Bond Fund*

- 37 (1) *Item 6440-301-6048, Budget Act of 2006 (Chs. 47 and*
38 *48, Stats. 2006), as reappropriated by Item 6440-491,*
39 *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*

40 *Irvine Campus:*

- 1 (2.5) 99.09.360-Primary Electrical Improvements Step
- 2 3-Working drawings and construction
- 3 Santa Cruz Campus:
- 4 (18) 99.07.185-Infrastructure Improvements Phase
- 5 2—Working drawings
- 6 (2) Item 6440-301-6048, Budget Act of 2007 (Chs. 171
- 7 and 172, Stats. 2007), as reappropriated by Item 6440-
- 8 491, Budget Act of 2008 (Chs. 268 and 269, Stats.
- 9 2008)
- 10 Davis Campus:
- 11 (3) 99.03.360-Electrical Improvements Phase
- 12 4—Construction
- 13 Merced Campus:
- 14 (5) 99.11.045-Social Sciences and Management
- 15 Building—Construction
- 16 Riverside Campus:
- 17 (8) 99.05.220-Boyce and Webber Hall Renova-
- 18 tions—Construction
- 19 Santa Barbara Campus:
- 20 (13) 99.08.145-Davidson Library Addition and Renew-
- 21 al—Working drawings
- 22 (2.5) Item 6440-302-6048, Budget Act of 2006 (Chs. 47
- 23 and 48, Stats. 2006)
- 24 San Diego Campus:
- 25 (8) Structural and Materials Engineering Build-
- 26 ing—Construction
- 27 (3) Item 6440-302-6048, Budget Act of 2007 (Chs. 171
- 28 and 172, Stats. 2007)
- 29 Berkeley Campus:
- 30 (1) 99.01.250-Birge Hall Infrastructure Improve-
- 31 ments—Construction
- 32 Riverside Campus:
- 33 (5) 99.05.225-East Campus Infrastructure Improve-
- 34 ments Phase 2—Working drawings and construc-
- 35 tion
- 36 Agriculture and Natural Resources:
- 37 (6) 99.10.065-Hopland Research and Extension
- 38 Center Field Laboratory and Multipurpose Faci-
- 39 lity—Construction

- (4) *Item 6440-304-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 6440-491, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*
Davis Campus:
(1.5) 99.03.365-Telemedicine Resource Center and Rural PRIME Facility—Construction and equipment
- (5) *Item 6440-305-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)*
Irvine Campus:
(1) 99.09.380-Telemedicine/PRIME Health Equity Education Facility—Construction and equipment
San Diego Campus:
(2) 99.06.395-Telemedicine/PRIME Health Equity Education Facility—Construction and equipment
- (6) *Item 6440-304-6048, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*
San Francisco Campus:
(1) 99.02.155-Telemedicine and PRIME Urban Underserved Education Facilities—Construction

SEC. 454. *Item 6440-492 is added to Section 2.00 of the Budget Act of 2009, to read:*

6440-492—Reappropriation, University of California. Notwithstanding any other provision of law, the period to liquidate encumbrances of the appropriations in the following citations is extended to June 30, 2011:
6041—2004 Higher Education Capital Outlay Bond Fund
(1) Item 6440-301-6041, Budget Act of 2004 (Ch. 308, Stats. 2004), as reappropriated by Item 6440-491, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)
Davis Campus:
(3) 99.03.310-Seismic Corrections, Phase 4—Construction
Merced Campus:
(23) 99.11.035-Logistical Support Service Facilities—Construction and equipment

- (2) *Item 6440-301-6041, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 6440-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)*
Irvine Campus:
 (3) *99.09.340-Computer Science Unit 3—Equipment*
Riverside Campus:
 (5) *99.05.200- Environmental Health and Safety Expansion—Preliminary plans*
San Diego Campus:
 (9) *99.06.355-Mayer Hall Addition and Renovation—Equipment*
 (10) *99.06.370-Music Building—Construction*
Santa Cruz Campus:
 (13) *99.07.130-Humanities and Social Services Facilities—Equipment*
 (14) *99.07.165-McHenry Project—Construction*
 (3) *Item 6440-302-6041, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 6440-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)*
Davis Campus:
 (1) *99.03.315-Electrical Improvements, Phase 3—Construction*
 (3) *99.03.345-Steam Expansion Phase I—Construction*
Irvine Campus:
 (4) *99.09.350-Engineering Unit 3—Construction*
Riverside Campus:
 (6) *99.05.190-Materials and Science Engineering Building—Construction*
Division of Agriculture and Natural Resources:
 (7) *99.10.055-Lindcove Research and Extension Center Laboratory Facility—Construction*
 6048—2006 University Capital Outlay Bond Fund
 (1) *Item 6440-301-6048, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 6440-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)*
Davis Campus:
 (1.3) *99.03.355-King Hall Renovation and Expansion—Working drawings*
Riverside Campus:

- (5) 99.05.210-Culver Center for the Arts—Construction
San Diego Campus:
- (8) 99.06.385-Chilled Water and Electrical Distribution Improvements—Working drawings
Santa Barbara Campus:
- (11) 99.08.135-Arts Building Seismic Correction and Renewal—Working drawings
- (12) 99.08.145- Davidson Library Addition and Renewal—Preliminary plans
- (13) 99.08.150-Phelps Hall Renovation—Preliminary plans and working drawings
Santa Cruz Campus:
- (17) 99.07.180-Infrastructure Improvements, Phase 1—Working drawings
- (18) 99.07.185-Infrastructure Improvements, Phase 2—Preliminary plans
- (19) 99.07.190-Biomedical Sciences Facility—Working drawings
- (2) Item 6440-301-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)
Davis Campus:
- (2) 99.03.350-Veterinary Medicine 3B—Working drawings
- (3) Item 6440-304-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)
San Francisco Campus:
- (3) 99.02.155-Telemedicine and PRIME Urban Underserved Education Facilities—Working drawings

SEC. 455. Item 6600-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6600-001-0001—For support of Hastings College of the Law....	10,300,000 9,270,000
Provisions:	
1. The appropriation made in this item is exempt from Section 31.00.	

SEC. 456. Item 6610-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6610-001-0001—For support of California State University..... ~~2,538,502,000~~
2,272,402,000

Schedule:

(1) Support..... ~~2,538,502,000~~
3,138,502,000

(1.5) Unallocated reduction..... -266,100,000

(2) Reimbursements—ARRA..... -600,000,000

Provisions:

1. The appropriations made in this item are exempt from Section 31.00, except as otherwise provided by the applicable sections of the Government Code referred to in Section 31.00.
2. Of the amount appropriated in this item, \$350,000 is for transfer to the Affordable Student Housing Revolving Fund for the purpose of subsidizing interest costs in connection with bond financing for construction of affordable student housing at the Fullerton and Hayward campuses in accordance with Article 3 (commencing with Section 90085) of Chapter 8 of Part 55 of Division 8 of Title 3 of the Education Code.
3. Of the amount appropriated in this item, \$1,878,000 is for repayment of the \$17,000,000 financed for the California State University through a third party for deferred maintenance projects in the 1994–95 fiscal year. It is the intent of the Legislature to annually provide funds for that repayment purpose until June 30, 2010.
4. Of the amount appropriated in this item, \$2,309,000 is for repayment of the \$24,000,000 financed for the California State University through a third party for deferred maintenance projects in the 1995–96 fiscal year. It is the intent of the Legislature to annually provide funds for that repayment purpose until June 30, 2011.
5. Of the funds appropriated in Schedule (1), \$2,713,000 is provided to continue support for enhancing the ca-

capacity of science and math teacher credential programs to implement the Science and Math Teacher Initiative. The California State University (CSU) shall report to the Legislature and the Governor by May 1 of each year on its progress toward increasing the quality and supply of science and mathematics teachers resulting from implementation of the Science and Math Teacher Initiative. This report shall include the following information: (a) annual number of mathematics and science teachers awarded credentials (by each CSU campus) beginning with the 2004–05 academic year (before the state first provided funding for the initiative), (b) an expenditure plan on the use of the funds appropriated in this item, (c) the effectiveness of the initiative’s different components and activities, including an identification of best practices, and (d) the job placement of students who earn a math or science teaching credential, including the location of the K–12 school of employment and whether it is in an urban, rural, or suburban setting.

6. ~~The Legislature expects the California State University to enroll a total of 342,893 state-supported full-time equivalent students (FTES) during the 2009–10 academic year, inclusive of the enrollments specified in Provision 7. This enrollment target does not include nonresident students and students enrolled in non-state-supported summer programs. The California State University shall provide a preliminary report to the Legislature by March 15, 2010, and a final report by May 1, 2010, on whether it has met the its 2009–10 academic year enrollment goal.~~
7. The amount in Schedule (1) includes \$6,251,000 for the following purposes:
 - (a) \$6,251,000 to continue increased enrollments in nursing programs beyond the levels served in 2005–06 as follows:
 - (1) \$560,000 for supplemental marginal cost funding for 280 FTES in entry-level master’s degree nursing programs pursuant to Article 8 (commencing with Section 89270) of

- 1 Chapter 2 of Part 55 of *Division 8 of Title 3*
2 of the Education Code.
- 3 (2) \$1,720,000 for full cost of a minimum of 163
4 FTES in entry level master's degree nursing
5 programs.
- 6 (3) \$371,000 for full cost of 35 FTES in baccalau-
7 reate degree nursing programs.
- 8 (4) \$3,600,000 for full cost of 340 FTES in bac-
9 calaureate degree nursing programs.
- 10 (c) The California State University shall report to the
11 Legislature and the Governor by May 1, 2010, on
12 the total enrollment in the 2009–10 academic year
13 in the baccalaureate nursing degree and entry-
14 level master's nursing degree programs.
- 15 8. Of the amount appropriated in this item, \$33,785,000
16 is provided for student financial aid grants. These fi-
17 nancial aid funds shall be provided to needy students
18 according to the nationally accepted needs analysis
19 methodology.
- 20 9. Of the amount appropriated in Schedule (1),
21 \$52,000,000 is appropriated for student academic
22 preparation and student support services programs.
23 The California State University shall provide
24 \$45,000,000 to support the Early Academic Assess-
25 ment Program and the Educational Opportunity Pro-
26 gram.
- 27 10. It is the intent of the Legislature that to the greatest
28 extent possible the California State University limit
29 any reductions to student support services and that the
30 university examine the possibility of increases to the
31 student-faculty ratio and phase out support of excess
32 course units.
- 33 11. On or before April 1, 2009, the Director of Finance
34 and the Treasurer shall determine whether the provi-
35 sions of Section 99030 of the Government Code have
36 been met.
- 37 12. *On or before January 10, 2010, the California State*
38 *University shall provide a report to the Legislature*
39 *and the Governor that describes the implementation*
40 *of the unallocated reductions in the Budget Act of 2008*

(Chs. 268 and 269, Stats. 2008) and the Budget Act of 2009 (Ch. 1, 2009–10 3rd Ex. Sess.) The report shall include, but not be limited to, information about changes in enrollment, changes in personnel costs including compensation increases and decreases, and receipt of funds related to the American Recovery and Reinvestment Act, new fee revenues, and other general purpose funding sources.

13. Notwithstanding Provision 9, if the budget reductions contained in this item necessitate the California State University to make budget reductions to its student academic preparation and outreach programs, those reductions shall be no greater, proportionally, than the reduction in overall General Fund support. The university shall submit a report on reductions made to these programs to the fiscal committees of each house of the Legislature no later than April 1, 2010.

SEC. 457. Item 6610-490 is added to Section 2.00 of the Budget Act of 2009, to read:

6610-490—Reappropriation, California State University. The balances of the appropriations provided in the following citations are reappropriated for the purposes provided for in those appropriations and shall be available for encumbrance or expenditure until June 30, 2010:

0785—1988 Higher Education Capital Outlay Bond Fund
(1) Item 6610-002-0785, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

6041—2004 Higher Education Capital Outlay Bond Fund
(1) Item 6610-002-6041, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

SEC. 458. Item 6610-491 is added to Section 2.00 of the Budget Act of 2009, to read:

6610-491—Reappropriation, California State University.
Notwithstanding any other provision of law, the balances
of the appropriations provided in the following citations
are reappropriated for the purposes and subject to the
limitations, unless otherwise specified, in those appropri-
ations:

0660—Public Buildings Construction Fund

(1) Item 6610-301-0660, Budget Act of 2008 (Chs. 268
and 269, Stats. 2008)

Bakersfield Campus:

(1) 06.50.066-Art Center and Satellite Plant—Work-
ing drawings and construction

Maritime Academy:

(2) 06.51.010-Physical Education Replacement—Pre-
liminary plans, working drawings, and construc-
tion

Monterey Bay Campus:

(3) 06.74.008-Academic Building II—Preliminary
plans, working drawings, and construction

Channel Islands Campus:

(4) 06.83.003-Classroom and Faculty Office Renova-
tion and Addition—Construction

San Luis Obispo Campus:

(5) 06.96.116-Center for Science—Construction

6041—2004 Higher Education Capital Outlay Bond Fund

(1) Item 6610-302-6041, Budget Act of 2004 (Ch. 208,
Stats. 2004), as reappropriated by Item 6440-491,
Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

Maritime Academy:

(9) 06.51.009-Simulation Center—Construction

Pomona Campus:

(12) 06.98.108-Science Renovation, Seismic—Con-
struction

San Luis Obispo Campus:

(16) 06.96.115-Engineering and Architecture Renova-
tion and Replacement, Phase II—Construction

(2) Item 6610-302-6041, Budget Act of 2006 (Chs. 47 and
48, Stats. 2006)

Bakersfield Campus:

- 1 (1) 06.50.065-Nursing Renovation—Preliminary
- 2 plans, working drawings, and construction
- 3 (3) Item 6610-301-6041, Budget Act of 2008 (Chs. 268
- 4 and 269, Stats. 2008
- 5 Channel Islands Campus:
- 6 (3) 06.83.005-Entrance Road—Construction
- 7 (4) Item 6610-302-6041, Budget Act of 2008 (Chs. 268
- 8 and 269, Stats. 2008)
- 9 San Bernardino Campus:
- 10 (1) 06.78.073-Access Compliance Barrier Re-
- 11 moval—Preliminary plans, working drawings,
- 12 and construction
- 13 6048—2006 University Capital Outlay Bond Fund
- 14 (1) Item 6610-301-6048, Budget Act of 2006 (Chs. 47 and
- 15 48, Stats. 2006), as reverted by Item 6610-496, Budget
- 16 Act of 2007 (Chs. 171 and 172, Stats. 2007)
- 17 East Bay Campus:
- 18 (2) 06.64.082-Student Services Replacement Build-
- 19 ing—Construction
- 20 Humboldt Campus:
- 21 (3) 06.67.087-Behavioral and Social Sciences, Phase
- 22 1—Equipment
- 23 (2) Item 6610-302-6048, Budget Act of 2006 (Chs. 47 and
- 24 48, Stats. 2006)
- 25 Maritime Academy:
- 26 (1) 06.51.009-Simulation Center—Equipment
- 27 San Bernardino Campus:
- 28 (4) 06.78.092-Science Building Renovation and Addi-
- 29 tion, Phase II—Equipment
- 30 (5) 06.78.093-College of Education—Equipment
- 31 Stanislaus Campus:
- 32 (7) 06.92.064-Science II (Seismic)—Equipment
- 33 San Luis Obispo Campus:
- 34 (8) 06.96.115-Engineering and Architecture Renova-
- 35 tion and Replacement, Phase II—Equipment
- 36 (3) Item 6610-301-6048, Budget Act of 2007 (Chs. 171
- 37 and 172, Stats. 2007), as reappropriated by Item 6610-
- 38 491, Budget Act of 2008 (Chs. 268 and 269, Stats.
- 39 2008)
- 40 Channel Islands Campus:

- 1 (8) 06.83.005-Entrance Road—Preliminary plans
2 and working drawings
3 San Francisco Campus:
4 (10) 06.84.105-School of the Arts—Acquisition
5 Pomona Campus:
6 (14) 06.98.109-College of Business Administra-
7 tion—Working drawings and construction
8 (4) Item 6610-302-6048, Budget Act of 2007 (Chs. 171
9 and 172, Stats. 2007)
10 Systemwide:
11 (1) 06.48.300-Nursing Facility Improvements—Pre-
12 liminary plans, working drawings, construction,
13 and equipment
14 Bakersfield Campus:
15 (2) 06.50.064-Math and Computer Science Build-
16 ing—Equipment
17 (3) 06.50.065-Nursing Renovation—Equipment
18 Fullerton Campus:
19 (5) 06.62.095-College of Business and Eco-
20 nomics—Equipment
21 Humboldt Campus:
22 (6) 06.67.098-Forbes PE Complex Renova-
23 tion—Equipment
24 San Bernardino Campus:
25 (9) 06.78.095-Palm Desert Off-Campus Center,
26 Phase III—Equipment
27 Sonoma Campus:
28 (10) 06.90.086-Music/Faculty Office Building—Equip-
29 ment
30 Pomona Campus:
31 (11) 06.98.108-Science Renovation (Seismic)—Equip-
32 ment
33

34 SEC. 459. Item 6610-492 is added to Section 2.00 of the Budget
35 Act of 2009, to read:

36
37 6610-492—Reappropriation, California State University.
38 Notwithstanding any other provision of law, the period to
39 liquidate encumbrances of the appropriations in the follow-
40 ing citations is extended until June 30, 2011:

6028—2002 Higher Education Capital Outlay Bond Fund
 (1) Item 6610-301-6028, Budget Act of 2002 (Ch. 379, Stats. 2002), as reappropriated by Item 6610-491, Budget Act of 2003 (Ch. 157, Stats. 2003), and Item 6610-493, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
 San Diego Campus:
 (8) 06.80.152-Telecommunications Infrastructure—Construction
 6041—2004 Higher Education Capital Outlay Bond Fund
 (1) Item 6610-301-6041, Budget Act of 2004 (Ch. 208, Stats. 2004)
 Systemwide:
 (1) 06.48.315-Minor Capital Outlay—Preliminary plans, working drawings, and construction
 (2) Item 6610-302-6041, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 6610-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and Item 6610-493, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
 Northridge Campus:
 (11) 06.82.085-Science 1 Replacement—Construction
 San Bernardino Campus:
 (14) 06.78.093-College of Education Building—Preliminary plans, working drawings, and construction
 (3) Item 6610-302-6041, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), as reappropriated by Item 6610-491, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)
 Fresno Campus:
 (3) 06.56.093-Library Addition and Renovation—Working drawings and construction
 Long Beach Campus:
 (7) 06.71.111-Library Addition and Renovation—Working drawings and construction
 San Luis Obispo:
 (12) 06.96.115-Engineering and Architecture Renovation and Replacement, Phase II—Equipment
 6048—2006 University Capital Outlay Bond Fund

(1) Item 6610-301-6048, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

Systemwide:

(1) 06.48.315-Minor Capital Outlay—Preliminary plans, working drawings, and construction

Monterey Bay Campus:

(5) 06.74.007-Infrastructure Improvements—Equipment

(2) Item 6610-301-6048, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)

San Luis Obispo Campus:

(12) 06.96.116-Center for Science—Working drawings

SEC. 460. Item 6610-494 is added to Section 2.00 of the Budget Act of 2009, to read:

6610-494—Reappropriation, California State University. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citation is extended to June 30, 2011:

6048—2006 University Capital Outlay Bond Fund

(1) Item 6610-002-6048, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

SEC. 461. Item 6870-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6870-001-0001—For support of Board of Governors of the California Community Colleges..... 10,155,000

Schedule:

(1) 10-Appportionments..... 1,196,000

(2) 20-Special Services and Operations..... ~~17,390,000~~
18,390,000

(3) 30.01-Administration..... 4,453,000

(4) 30.02-Administration—Distributed..... -4,453,000

(5) Reimbursements..... ~~-8,431,000~~
-9,431,000

Provisions:

1. Funds appropriated in this item may be expended or encumbered to make one or more payments under a

personal services contract of a visiting educator pursuant to Section 19050.8 of the Government Code, a long-term special consultant services contract, or an employment contract between an entity that is not a state agency and a person who is under the direct or daily supervision of a state agency, only if all of the following conditions are met:

- (a) The person providing service under the contract provides full financial disclosure to the Fair Political Practices Commission in accordance with the rules and regulations of the Commission.
 - (b) The service provided under the contract does not result in the displacement of any represented civil service employee.
 - (c) The rate of compensation for salary and health benefits for the person providing service under the contract does not exceed by more than 10 percent the current rate of compensation for salary and health benefits determined by the Department of Personnel Administration for civil service personnel in a comparable position. The payment of any other compensation or any reimbursement for travel or per diem expenses shall be in accordance with the State Administrative Manual and the rules and regulations of the Department of Personnel Administration.
2. The funds appropriated in Schedule (5) reflect \$140,000 to support a position through an interagency agreement with the Department of Corrections and Rehabilitation for the purpose of coordinating and administering funds to districts for department staff training and instruction services.
 3. *The funds appropriated in Schedules (2) and (5) reflect an interagency agreement with the California Emergency Management Agency for \$400,000 in reimbursements to conduct emergency planning and preparedness training for community college districts.*
 4. *The funds appropriated in Schedules (2) and (5) reflect an interagency agreement with the Employment Development Department for \$600,000 in reimbursements*

1 to support economic and workforce development ac-
 2 tivities such as the Nursing Initiative and other pro-
 3 grams related to the federal Workforce Investment Act
 4 of 1998 (29 U.S.C. Sec. 2801 et seq.).

5
 6 SEC. 462. Item 6870-002-0890 of Section 2.00 of the Budget
 7 Act of 2009 is amended to read:

8
 9 6870-002-0890—For support of Board of Governors of the
 10 California Community Colleges, Program ~~20.30.090-Math~~
 11 ~~20.98.001-Math~~ and Science Teacher Initiative, payable
 12 from the Federal Trust Fund..... 40,000
 13 Provisions:
 14 1. The funds appropriated in this item are available to
 15 support personnel and operating expenses necessary
 16 for the implementation of the Math and Science
 17 Teacher Initiative program pursuant to a one time grant
 18 from the United States Department of Education pur-
 19 suant to Public Law 105-277.

20
 21 SEC. 463. Item 6870-101-0001 of Section 2.00 of the Budget
 22 Act of 2009 is amended to read:

23
 24 6870-101-0001—For local assistance, Board of Governors
 25 of the California Community Colleges (Proposition
 26 98)..... ~~3,810,595,000~~
 27 3,114,494,000
 28 Schedule:
 29 (1) 10.10.010-Appportionments..... ~~2,919,262,000~~
 30 2,721,006,000
 31 (2) 10.10.020-Apprenticeship..... ~~14,641,000~~
 32 9,955,880
 33 (3) 10.10.030-Growth for Apportion-
 34 ments..... ~~175,213,000~~
 35 0
 36 (4) 20.10.004-Student Success for Basic
 37 Skills Students..... ~~33,100,000~~
 38 27,804,000

1	(5) 20.10.005-Student Financial Aid Admin-	
2	istration.....	52,203,000
3		52,884,000
4	(6) 20.10.020-Disabled Students.....	118,461,000
5		96,057,240
6	(7) 20.10.045-Special Services for Cal-	
7	WORKs Recipients.....	43,580,000
8		37,043,000
9	(8) 20.10.060-Foster Care Education Pro-	
10	gram.....	5,254,000
11	(9) 20.10.070-Matriculation.....	104,857,000
12		68,248,760
13	(10) 20.20.020-Academic Senate for the	
14	Community Colleges.....	467,000
15		317,560
16	(11) 20.20.041-Equal Employment Opportu-	
17	nity pursuant to Ch. 1169, Stats.	
18	2002.....	1,747,000
19		1,187,960
20	(12) 20.20.050-Part-time Faculty Health In-	
21	surance.....	1,000,000
22		680,000
23	(13) 20.20.051-Part-time Faculty Compensa-	
24	tion.....	50,828,000
25		34,563,040
26	(14) 20.20.055-Part-time Faculty Office	
27	Hours.....	7,172,000
28		4,876,960
29	(15) 20.30.011-Telecommunications and	
30	Technology Services.....	26,197,000
31		21,217,380
32	(16) 20.30.050-Economic Development.....	46,790,000
33		31,817,200
34	(17) 20.30.070-Transfer Education and Ar-	
35	ticulation.....	1,424,000
36		968,320
37	(18) 20.40.026-Physical Plant and Instruc-	
38	tional Support.....	27,345,000
39		0

1	(19) 20.10.010-Extended Opportunity Pro-	
2	grams and Services and Special Ser-	
3	vices.....	125,960,000
4		102,137,400
5	(20) 20.30.045-Fund for Student Success....	6,158,000
6		5,262,820
7	(21) 20.70.010-Career Technical Educa-	
8	tion.....	20,000,000
9		0
10	(22) 20.80.010-Campus— Childcare <i>Child</i>	
11	Care Tax Bailout.....	6,836,000
12		4,648,480
13	(23) 20.95.010-Nursing Program Support....	22,100,000
14		18,564,000
15	(24) 97.20.001-Unallocated Reduction....	-130,000,000
16	(25) 97.20.005-Unallocated.....	130,000,000
17	(26) Reimbursements.....	-130,000,000
18	Provisions:	
19	1. The funds appropriated in this item are for transfer by	
20	the Controller during the 2009–10 fiscal year to Sec-	
21	tion B of the State School Fund.	
22	2. Notwithstanding any other provision of law, apportion-	
23	ment funding for community college districts shall be	
24	based on the greater of the current year or prior year	
25	level of full-time equivalent students (FTES), consis-	
26	tent with K–12 declining enrollment practices pursuant	
27	to Section 42238.5 of the Education Code. Decreases	
28	in FTES shall result in a revenue reduction at the dis-	
29	trict’s average level of apportionment funding per	
30	FTES and shall be made in the year following the ini-	
31	tial year of decrease in FTES.	
32	3. The funds appropriated in Schedule (1) for Apportion-	
33	ments include \$31,409,000 to encourage district-level	
34	accountability efforts pursuant to Section 84754.5 of	
35	the Education Code. It is intended that the Chancellor	
36	of the California Community Colleges submit an an-	
37	nuual report on district-specific accountability measures	
38	by March 19 of each year. This report shall reflect	
39	outcomes from the most recently completed fiscal year	

- for which data is available pursuant to Section 84754.5 of the Education Code.
4. Of the funds appropriated in Schedule (1), Apportionments:
 - (a) Up to \$100,000 is for a maintenance allowance, pursuant to Section 54200 of Title 5 of the California Code of Regulations.
 - (b) Up to \$500,000 is to reimburse colleges for the costs of federal aid repayments related to assessed fees for fee waiver recipients. This reimbursement only applies to students who completely withdraw from college before the census date pursuant to Section 58508 of Title 5 of the California Code of Regulations.
- ~~5. Of the amount appropriated in Schedule (1), \$10,000,000 shall only be available for noncredit instruction to prepare pupils to pass the California High School Exit Examination (CAHSEE). The first priority shall be to serve high school pupils from the classes of 2007 and 2008 who met all other graduation requirements except for passage of the CAHSEE. Remaining funds may be used to support other necessary noncredit courses for other pupils who not only did not pass the CAHSEE, but who did not complete other coursework necessary to meet high school graduation requirements. These funds are intended to supplement but not supplant existing funding for these purposes.~~
6. Notwithstanding any other provision of law, the Chancellor of the California Community Colleges shall not reduce district workload obligations for a lack of a funded cost-of-living adjustment.
7. (a) ~~Of the~~*The* amount appropriated in Schedule (2) for the Apprenticeship Program, ~~up to~~ \$14,641,000 shall be available as necessary upon certification by the Chancellor of the California Community Colleges for the purpose of funding community college-related and supplemental instruction pursuant to Section 3074 of the Labor Code, as provided in Section 8152 of the Education Code. No community college district shall

- 1 use funds available under this provision to offer
2 any new apprenticeship training program or the
3 expansion of any existing program unless the new
4 program or expansion has been approved by the
5 chancellor.
- 6 (b) Notwithstanding Section 8152 of the Education
7 Code, each 60-minute hour of teaching time de-
8 voted to each indentured apprentice enrolled in
9 and attending classes of related and supplemental
10 instruction as provided under Section 3074 of the
11 Labor Code shall be reimbursed at the rate of
12 \$5.06 per hour. For purposes of this provision,
13 each hour of teaching time may include up to 10
14 minutes for passing time and breaks.
- 15 8. Funds appropriated in Schedule (3), Growth for Ap-
16 portionments, shall be available first to any districts
17 bringing online in the current fiscal year newly accred-
18 ited colleges or California Postsecondary Education
19 Commission-approved educational centers. It is the
20 intent of the Legislature that increases in basic founda-
21 tion allocations to each college be funded prior to ad-
22 ditional growth in full-time equivalent students. The
23 Chancellor of the California Community Colleges
24 shall provide a report by November 1 of each year, to
25 the Department of Finance and the Legislative Analyst,
26 on the number of new centers and colleges added for
27 the current fiscal year and those anticipated to be added
28 for the prospective budget year. This report shall also
29 detail the specific funding adjustments provided for
30 basic foundation allocations to each college and center
31 for the current fiscal year.
- 32 9. Notwithstanding any other provision of law, funds
33 appropriated in Schedule (3) for Growth for Apportion-
34 ments shall only be allocated for growth in full-time
35 equivalent students (FTES), on a district-by-district
36 basis, as determined by the Chancellor of the Califor-
37 nia Community Colleges. The chancellor shall not in-
38 clude any FTES from concurrent enrollment in physi-
39 cal education, dance, recreation, study skills, and per-
40 sonal development courses and other courses in con-

flict with existing law for the purpose of calculating a district's three-year overcap adjustment. The Board of Governors of the California Community Colleges shall implement the criteria required by subdivision (a) of Provision 5 of Item 6870-101-0001 of the Budget Act of 2003 (Ch. 157, Stats. 2003) for the allocation of funds appropriated in Schedules (1) and (3), so as to ensure that courses related to student needs for transfer, basic skills, and vocational/workforce training are accorded the highest priority and are provided to the maximum extent possible within budgeted funds.

10. The funds appropriated in Schedule (4), Student Success for Basic Skills Students, shall be allocated as follows:

- (a) ~~\$1,600,000~~ *\$1,344,000* for faculty and staff development to improve curriculum, instruction, student services, and program practices in the areas of basic skills and English as a Second Language (ESL) programs. The Office of the Chancellor of the California Community Colleges shall select a district, utilizing a competitive process, to carry out these faculty and staff development activities. All colleges receiving funds pursuant to subdivision (b) shall be provided with the opportunity to participate in the faculty and staff development programs specified in this subdivision. The chancellor shall report on the use of these funds by the selected district to the Legislative Analyst and the Department of Finance not later than September 1, 2010.
- (b) ~~\$31,500,000~~ *\$26,460,000* for allocation by the chancellor to community college districts for improving outcomes of students who enter college needing at least one course in ESL or basic skills, with particular emphasis on students transitioning from high school.
- (c) Funding specified in subdivisions (a) and (b) shall be distributed to eligible applicants pursuant to Chapter 489 of the Statutes of 2007.

- 1 (d) The Office of the Chancellor shall work jointly
2 with the Department of Finance and the Legisla-
3 tive Analyst to ~~develop~~ *evaluate and refine, as*
4 *necessary, the annual accountability measures for*
5 *this program. It is the intent of the Legislature*
6 *that annual performance accountability measures*
7 *for this program utilize, to the extent possible,*
8 *data available as part of the accountability system*
9 *developed pursuant to Section 84754.5 of the*
10 *Education Code. By November 1, 2010; Septem-*
11 *ber 1, 2009, the chancellor shall submit a report*
12 *the first in a series of reports to the Governor and*
13 *Legislature on the annual accountability measures*
14 *developed pursuant to this process basic skills*
15 *accountability using system and college level data.*
- 16 11. (a) Of the funds appropriated in Schedule (5) for
17 Student Financial Aid Administration, not less
18 than ~~\$10,561,000~~ *\$11,034,000* is available to
19 provide \$0.91 per unit reimbursement to commu-
20 nity college districts for the provision of board of
21 governors (BOG) fee waiver awards pursuant to
22 paragraph (2) of subdivision (m) of Section 76300
23 of the Education Code.
- 24 (b) Of the funds appropriated in Schedule (5), not
25 less than ~~\$4,642,000~~ *\$4,850,000* is available to
26 provide reimbursement of 2 percent of total
27 waiver value to community college districts for
28 the provision of BOG fee waiver awards pursuant
29 to paragraph (2) of subdivision (m) of Section
30 76300 of the Education Code.
- 31 (c) Funding provided to community college districts
32 in subdivisions (a) and (b) ~~of this provision~~ is
33 provided to directly offset any mandated costs
34 claimed by community college districts pursuant
35 to Commission on State Mandates Test Claims
36 99-TC-13 (Enrollment Fee Collection) and 00-
37 TC-15 (Enrollment Fee Waivers).
- 38 (d) (1) Of the amount appropriated in Schedule (5),
39 \$2,800,000 shall be for a contract with a
40 community college district to conduct a

statewide media campaign to promote the general message to prospective students as follows: (A) the California Community Colleges (CCC) remain affordable, (B) financial aid and tax credits are available to cover enrollment fees and help with books and other costs, and (C) the active encouragement of contact between pupils and local CCC financial aid offices. Any funds used from this source to produce radio, television, or mail campaigns must emphasize the availability of financial aid, the easiest and most reliable method of accessing the aid, a contact telephone number, an Internet Web site address, where applicable, and the physical location of a financial aid office. Any mail campaign must give priority to existing pupils, recent high school graduates, and 12th graders. The outreach and information campaign should target its efforts in high schools, welfare offices, unemployment offices, churches, community centers, and any other location that will most effectively reach low-income and disadvantaged students who must overcome barriers in accessing postsecondary education. The community college district awarded the contract shall consult with the Chancellor of the California Community Colleges and the Student Aid Commission prior to performing any activities to ensure appropriate coordination with any other state efforts in this area and ensure compliance with this provision.

- (2) Of the amount appropriated in Schedule (5), not more than \$34,200,000 shall be for direct contact with potential and current financial aid applicants. Each CCC campus shall receive a minimum allocation of \$50,000. The remainder of the funding shall be allocated to campuses based upon a formula reflecting

1 full-time equivalent students (FTES)
2 weighted by a measure of low-income popu-
3 lations as demonstrated by BOG fee waiver
4 program participation within a district. It is
5 the intent of the Legislature, to the extent that
6 funds are provided in this item, that all cam-
7 puses provide additional staff resources to
8 increase both financial aid participation and
9 student access to low-income and disadvan-
10 taged students who must overcome barriers
11 in accessing postsecondary education. Funds
12 may be used for screening current students
13 for possible financial aid eligibility and offer-
14 ing personal assistance to these students in
15 accessing financial aid, providing individual
16 help in multiple languages for families and
17 students in filling out the necessary paper-
18 work to apply for financial aid, and increas-
19 ing financial aid staff to process additional
20 financial aid forms.

21 (3) Funding provided to community college dis-
22 tricts in ~~Subdivision (d)(2) of Provision 11~~
23 *paragraph (2) of this subdivision (d)* is pro-
24 vided to directly offset any mandated costs
25 claimed by community college districts pur-
26 suant to the Commission on State Mandates
27 test claim 02-TC-28 (Cal Grants) and 02-TC-
28 21 (*Tuition Fee Waivers*).

29 (4) Funds allocated to a community college dis-
30 trict for financial aid personnel, outreach de-
31 termination of financial need, and delivery
32 of student financial aid services shall supple-
33 ment, and shall not supplant, the level of
34 funds allocated for the administration of stu-
35 dent financial aid programs during the
36 2001–02 fiscal year or 2006–07, whichever
37 is greater.

38 (5) It is the intent of the Legislature that the Of-
39 fice of the Chancellor of the California
40 Community Colleges provide the Legislature

with a report not later than April 1, 2010, on the use of the funds allocated pursuant to paragraphs (1) and (2) of this subdivision (d), including the distribution of the funds, specific uses of the funds, strategies employed to reach low-income and disadvantaged students potentially eligible for financial aid, and the extent to which districts were successful in increasing the number of students accessing financial aid, particularly the maximum Pell Grant award.

(6) It is the intent of the Legislature that the chancellor report by May 15, 2010, in the manner and using the factors set forth in paragraph (5) of subdivision (c) of Provision 11 of Item 6870-101-0001 of the Budget Act of 2007, on the impact of outreach efforts on student headcount and FTES enrollment for the 2006–07 and 2007–08 academic years.

12. (a) The funds appropriated in Schedule (6) for the Disabled Students Program are for assisting districts in funding the excess direct instructional cost of providing special support services or instruction, or both, to disabled students enrolled at community colleges, and for state hospital programs, as mandated by federal law.

(b) Of the amount appropriated in Schedule (6), no less than ~~\$3,945,000~~ \$3,166,000 shall be used to address deficiencies identified by the federal Office of Civil Rights (OCR), as determined by the Office of the Chancellor of the California Community Colleges.

(c) Of the amount appropriated in Schedule (6), at least ~~\$943,000~~ \$757,000 shall be used for support of the High Tech Centers for activities including, but not limited to, training of district employees, staff, and students in the use of specialized computer equipment for the disabled. All High Tech Centers shall meet standards developed by the Office of the Chancellor. Colleges that receive

- 1 these augmentations shall not supplant existing
2 resources provided to the centers.
- 3 (d) Notwithstanding any other provision of law, of
4 the funds appropriated in Schedule (6), ~~\$1,246,000~~
5 ~~\$1,000,000~~ shall be for state hospital adult educa-
6 tion programs at the hospitals served by the Coast
7 and Kern Community College Districts since the
8 1986–87 fiscal year. If adult education services
9 at any of the three hospitals are not supported by
10 the community colleges in any portion of the
11 2009–10 fiscal year, remaining funds shall, upon
12 order of the Department of Finance, after 30 days’
13 notice to the Chairperson of the Joint Legislative
14 Budget Committee, be transferred to the State
15 Department of Developmental Services (DDS).
16 For any transfer of funds to DDS during the
17 2009–10 fiscal year, the Proposition 98 base
18 funding levels for community colleges and DDS
19 shall be adjusted accordingly.
- 20 (e) Of the funds appropriated in Schedule (6) for the
21 Disabled Student Services, no less than
22 ~~\$9,600,000~~ ~~\$7,704,000~~ shall be allocated to sup-
23 port high-cost sign language interpreter services
24 and real-time captioning equipment or other
25 communication accommodations for hearing-im-
26 paired students based on a 4-to-1 state-to-local
27 district match.
- 28 13. The funds appropriated in Schedule (7), Special Ser-
29 vices for CalWORKs Recipients, are for the purpose
30 of assisting welfare recipient students and those in
31 transition off of welfare to achieve long-term self-
32 sufficiency through coordinated student services of-
33 fered at community colleges, including workstudy,
34 other educational related work experience, job place-
35 ment services, child care services, and coordination
36 with county welfare offices to determine eligibility
37 and availability of services. All services funded in
38 Schedule (7) shall be for current CalWORKs recipients
39 or prior CalWORKs recipients who are in transition
40 off of cash assistance for no more than two years.

Current cash-assistance recipients may utilize these services until their initial educational objectives are met. Former recipients in transition off of cash assistance may utilize these services for a period of up to two years after leaving cash assistance subject to the conditions of this provision. These funds shall be used to supplement and not supplant existing funds and services provided for CalWORKs recipients attending community colleges. The Chancellor of the California Community Colleges shall develop an equitable method for allocating funds to all districts and colleges based on the relative numbers of CalWORKs recipients in attendance and shall allocate funds for the following purposes:

- (a) Job placement.
- (b) Coordination with county welfare offices and other local agencies, including local workforce investment boards.
- (c) Curriculum development and redesign.
- (d) Child care and workstudy.
- (e) Instruction.
- (f) Postemployment skills training and related skills.
- (g) Campus-based case management, limited to on-campus assistance and services not provided by county case workers that do not supplant other counseling and academic support services funded through existing California Community Colleges categorical programs.

Of the amount appropriated in Schedule (7), ~~\$15,000,000~~ \$12,750,000 is for child care and does not require a district match. For the remaining funds, districts shall, as a condition of receipt of these funds, provide a \$1 match for every \$1 provided by the state.

Funds utilized for subsidized child care shall be for children of CalWORKs recipients through campus-based centers or parental choice vouchers at rates and with rules consistent with those applied to related programs operated by the State Department of Education in the 2009–10 fiscal year, including eligibility, reimbursement rates, and parental contribution

1 schedules. Subsidized campus child care for Cal-
2 WORKs recipients may be provided during the period
3 they are engaged in qualifying state and federal work
4 activities through attainment of their initial education
5 and training plan and for up to three months thereafter
6 or until the end of the academic year, whichever period
7 of time is greater.

8 Funds utilized for workstudy shall be used solely
9 for payments to employers that currently participate
10 in campus-based workstudy programs or are providing
11 work experiences that are directly related to and in
12 furtherance of student educational programs and work
13 participation requirements, provided that those pay-
14 ments may not exceed 75 percent of the wage for the
15 workstudy positions, and the employers shall pay at
16 least 25 percent of the wage for the workstudy posi-
17 tions. These funds may be expended only if the total
18 hours of education, employment, and workstudy for
19 the student are sufficient to meet both state and federal
20 minimum requirements for qualifying work-related
21 activities.

22 Funds may be used to provide credit or noncredit
23 classes for CalWORKs students if a district has com-
24 mitted all of its funded full-time equivalent students
25 (FTES) and is unable to offer the additional instruc-
26 tional services to meet the demand for CalWORKs
27 students. This determination shall be based on fall
28 enrollment information. Districts shall submit applica-
29 tions to the Office of the Chancellor by October 15 of
30 each year. If the chancellor approves the use of funds
31 for direct instructional workload, the Office of the
32 Chancellor shall submit a report to the Department of
33 Finance and the Joint Legislative Budget Committee
34 by November 15, 2009, that (a) identifies the enroll-
35 ment of new CalWORKs students, (b) states whether
36 and why additional classes were needed to accommo-
37 date the needs of CalWORKs students, and (c) sets
38 forth an expenditure plan for the balance of funds.

39 As a condition of receipt of the funds appropriated
40 in Schedule (7), by the fourth week following the end

of the semester or quarter term commencing in January 2010, each participating community college shall submit to the Office of the Chancellor a report, in the format specified by the chancellor in consultation with the State Department of Social Services, that includes, but is not limited to, the funded components, the number of hours of child care provided, the average monthly enrollment of CalWORKs dependents served in child care, the number of workstudy hours provided, the hourly salaries and type of jobs, the number of students being case managed, the short-term programs available, the student participation rates, and other outcome data. It is intended that, to the extent ~~practical~~ *practicable*, reporting from colleges utilize data gathered for federal reporting requirements at the state and local level. Further, it is intended that the Office of the Chancellor compile the information for annual reports to the Legislature, the Governor, the Legislative Analyst, the Department of Finance, and the State Department of Social Services by November 15 of each year.

First priority for expenditures of any funds appropriated in Schedule (7) shall be in support of current CalWORKs recipients. However, if caseloads are insufficient to fully utilize all of the funding in this schedule in a cost-beneficial way, it is intended that up to \$5,000,000 of the funds subject to local matching requirements may be allocated for providing postemployment services to former CalWORKs recipients who have been off of cash assistance for no longer than two years to assist them in upgrading skills, job retention, and advancement. Allowable services include direct instruction that cannot be funded under available growth funding, child care to support attendance in these classes consistent with this provision, job development and placement services, and career counseling and assessment activities which cannot be funded through other programs. Child care services may only be provided for periods commensurate with

1 a student's need for postemployment training within
2 the two-year transitional period.

3 Prior to allocation of funds for postemployment
4 services, the chancellor shall first secure the approval
5 of the Department of Finance for the allocations,
6 complete a cumulative report on the outcomes, activi-
7 ties, and cost-effectiveness of the program no later
8 than November 15, 2009, in compliance with the
9 Budget Acts of 1998 (Ch. 324, Stats. 1998) and 1999
10 (Ch. 50, Stats. 1999) and this act, and shall provide
11 the rationale and justification for the proposed alloca-
12 tion of postemployment services to districts for transi-
13 tional students.

14 If a district is unable to fully expend its share of
15 child care funds, it may request that the Office of the
16 Chancellor approve a reallocation to other CalWORKs
17 purposes authorized by this provision, subject to all
18 pertinent limitations and district match required for
19 these purposes under this provision.

20 Of the funds appropriated in Schedule (7) for the
21 Special Services for CalWORKs Recipients Program,
22 no less than ~~\$8,000,000~~ \$6,800,000 is to provide direct
23 workstudy wage reimbursement for students served
24 under this program, and ~~\$1,000,000~~ \$850,000 is
25 available for campus job development and placement
26 services.

- 27 14. Funds appropriated in Schedule (7) for the Special
28 Services for CalWORKs Recipients Program have
29 been budgeted to meet the state's Temporary Assis-
30 tance for Needy Families maintenance-of-effort require-
31 ment pursuant to the federal Personal Responsibility
32 and Work Opportunity Reconciliation Act of 1996
33 (P.L. 104-193) and may not be expended in any way
34 that would cause their disqualification as a federally
35 allowable maintenance-of-effort expenditure.

- 36 15. (a) Funds provided in Schedule (8) for the Foster
37 Care Education Program shall be allocated to
38 provide foster and relative/kinship care education
39 and training. Districts shall ensure that education
40 and training required by Sections 1529.1 and

- 1529.2 of the Health and Safety Code and Section 16003 of the Welfare and Institutions Code receive priority. Districts may use any remaining funds for additional parenting skills training.
- (b) Funds provided in Schedule (8) shall be used for foster parent and relative/kinship care provider education training services consistent with the following criteria:
- (1) The Chancellor of the California Community Colleges shall use these funds exclusively for foster parent and relative/kinship care provider education and training, as specified by the chancellor in consultation with an advisory committee that includes foster parents, representatives of statewide foster parent organizations, parent and relative/kinship care providers, and representatives from the State Department of Social Services.
 - (2) Acceptance of funds under this program shall constitute agreement by the district to comply with such reporting requirements, guidelines, and other conditions for receipt of funding as the chancellor may establish.
 - (3) Each college plan for foster and relative/kinship care education programs shall include the provision of training to facilitate the development of foster family homes, small family homes, and relative/kinship homes to care for no more than six children who have special mental, emotional, developmental, or physical needs.
 - (4) The State Department of Social Services shall facilitate the participation of county welfare departments in the foster and relative/kinship care education program.
16. (a) Funds appropriated in Schedule (9) for the Matriculation Program are for the purpose of student matriculation pursuant to Article 1 (commencing with Section 78210) of Chapter 2 of Part 48 of Division 7 of Title 3 of the Education Code.

(b) Of the amount appropriated in Schedule (9), ~~\$20,000,000~~ *\$13,017,000* shall be allocated to community college districts on a one-to-one matching funds basis to provide matriculation services, including, but not limited to, orientation, assessment, and counseling, for students enrolled in designated noncredit classes and programs who may benefit most, as determined by the Chancellor of the California Community Colleges pursuant to Sections 78216 to 78218, inclusive, of the Education Code.

17. The funds in Schedule (13) for the Part-time Faculty Compensation Program shall be allocated solely to increase compensation for part-time faculty from the amounts previously authorized. Funds shall be distributed to districts based on the total actual full-time equivalent students served in the previous fiscal year and include a small district factor as determined by the Chancellor of the California Community Colleges. These funds are to be used to assist districts in making part-time faculty salaries more comparable to full-time salaries for similar work, as determined through each district's local collective bargaining process. These funds shall not supplant the amount of resources each district used to compensate part-time faculty or be used to exceed parity of each part-time faculty employed by each district with regular full-time faculty at the same district, as certified by the chancellor. If a district achieves parity, its allocation may be used for any other educational purpose.

18. (a) ~~\$24,197,000~~ *\$19,637,380* of the funds provided in Schedule (15) for the Telecommunications and Technology Services Program shall be for the purpose of supporting technical and application innovations and for coordination of activities that serve to maximize the utility of the technology investments of the community college system towards improving learning outcomes. Allocations shall be made by the Chancellor of the California Community Colleges, based on criteria and

guidelines as developed by the chancellor, on a competitive basis through the RFA/RFP application process for the following purposes:

- (1) Provision of access to statewide multimedia hosting and delivery services for system colleges and districts.
- (2) Provision of systemwide Internet, audio bridging, and telephony.
- (3) Technical assistance and planning, cooperative purchase agreements, and faculty and staff development in a manner consistent with paragraph (3) of subdivision (b) of Provision 17 of Item 6870-101-0001 of Section 2.00 of the Budget Act of 1996 (Ch. 162, Stats. 1996).
- (4) Ongoing support for the California Virtual Campus Distance Education Program.
- (5) Ongoing support for programs designed to use technology in assisting accreditation and the alignment of curricula across K–20 segments in California.
- (6) Support for technology pilots and ongoing technology programs and applications that serve to maximize the utility and economy of scale of the technology investments of the community college system towards improving learning outcomes.

In addition, a portion of the funds provided in this subdivision shall be available for allocations to districts. It is the intent of the Legislature that these funds be used by colleges to maintain the technology capabilities specified in subdivision (a) of Provision 21 of Item 6870-101-0001 of the Budget Act of 2003 (Ch. 157, Stats. 2003). These funds shall not supplant existing funds used for those purposes, and colleges shall match maintenance and ongoing costs with other funds as provided by Provision 21(a) of Item 6870-101-0001 of the Budget Act of 2003 (Ch. 157, Stats. 2003).

- (b) The Office of the Chancellor of the California Community Colleges shall develop the reporting

criteria for all programs funded by this item and shall submit that for review along with an annual progress report on program implementation to the Legislative Analyst, the Office of the Secretary for Education, and the Department of Finance no later than December 1 of each year. Reporting shall include summaries of allocations and expenditures by program and by district, where applicable.

- (c) Of the funds provided in Schedule (15), ~~\$2,000,000~~ *\$1,580,000* is for ongoing support and expansion of the California Partnership for Achieving Student Success (Cal-PASS) program. As a condition of receipt of these funds, the grantee shall submit to the Office of the Chancellor, by October 15 of each year, all of the following: (1) a report that includes the numbers and percentages of institutions and school districts that have signed agreements and the number and percentage that have actively submitted data in the current year and (2) an annual financial audit, as prescribed by the chancellor, that includes an accounting of all funding sources and all uses of funds by funding source. The report and audit also shall be submitted to the Legislative Analyst, the Department of Finance, and the appropriate budget subcommittees. It is the intent of the Legislature that all reporting requirements contained in this subdivision shall be completed using funds provided to the grantee.

19. Of the funds provided in Schedule (16) for the Economic and Workforce Development Program:

- (a) ~~\$22,830,000~~ *\$15,524,000* is allocated for regional business resources assistance and innovation network centers. Each allocation to a district for Centers for International Development shall contain sufficient funds, as determined by the Chancellor of the California Community Colleges, for the continued operation of Mexican International Trade Centers.

- 1 (b) ~~\$7,822,000~~-\$5,319,000 is allocated for industry-
- 2 driven regional education and training collabora-
- 3 tives. These allocations shall be made on a com-
- 4 petitive basis and the amounts shall not be restrict-
- 5 ed to any predetermined limit, but rather shall be
- 6 funded on their individual merits.
- 7 (c) ~~\$3,609,000~~-\$2,454,000 is allocated for statewide
- 8 network leadership, organizational development,
- 9 coordination, information and support services,
- 10 or other program purposes.
- 11 (d) ~~\$4,529,000~~-\$3,080,000 is available for Job Devel-
- 12 opment Incentive Training programs focused on
- 13 job creation for public assistance recipients. Any
- 14 annual savings from this subdivision shall only
- 15 be available for expenditure for one-time activities
- 16 listed under subdivision (j) of Section 88531 of
- 17 the Education Code.
- 18 (e) ~~\$8,000,000~~-\$5,440,200 is allocated for the estab-
- 19 lishment of a Responsive Incumbent Worker
- 20 Training Fund, which will serve to expand the
- 21 delivery of performance improvement training to
- 22 employers and incumbent workers in high-growth
- 23 industries. Funds shall also be used to develop
- 24 programs that integrate basic skills and career
- 25 technical education curriculum in ways that pro-
- 26 vide students with seamless educational course-
- 27 work that transitions students into high-tech and
- 28 high-demand job sectors.
- 29 (f) The following provisions apply to the expenditure
- 30 of funds within subdivisions (a) and (b): Funds
- 31 allocated for centers and regional collaboratives
- 32 shall seek to maximize the use of state funds for
- 33 subdivisions (g) to (j), inclusive, of Section 88531
- 34 of the Education Code. Funds allocated to districts
- 35 for purposes of subdivisions (g) and (i) of Section
- 36 88531 of the Education Code for performance-
- 37 based training and student internships shall be
- 38 matched by a minimum of \$1 of private business
- 39 and industry funding for each \$1 of state funds.
- 40 Funds allocated for purposes of subdivision (h)

of Section 88531 of the Education Code for credit and noncredit instruction may be transferred to Schedule (1) or (3) to facilitate distribution at the chancellor's discretion. Any funds that become available from network centers due to savings, discontinuance, or reduction of amounts shall first be made available for additional allocations in subdivision (b) to increase the level of subsidized training otherwise available.

(g) Funds allocated by the Board of Governors of the California Community Colleges under this provision may not be used by community college districts to supplant existing courses or contract education offerings. The chancellor shall ensure that funds are spent only for expanded services and shall implement accountability reporting for districts receiving these funds to ensure that training, credit, and noncredit programs remain relevant to business needs. Programs that do not demonstrate continued relevance and support by business shall not be eligible for continued funding. The board of governors shall consider the level of involvement and financial commitments of business and industry as primary factors in making awards. The chancellor shall incorporate project requirements into the guidelines for audits of economic development projects.

(h) Primary objectives of the Economic and Workforce Development Program are to maximize instruction, to prepare students for entry-level jobs, to increase skills of the current workforce, and to stimulate the growth of businesses through training so that more jobs are created. As part of the annual report on the performance of the Economic and Workforce Development Program, the chancellor shall provide disaggregated data detailing the funding provided to each economic development regional center and each industry-driven regional education and training collaborative, and to the extent practicable, the total number of hours

of contract education services, performance improvement training, credit and noncredit instruction, and job placements created as a result of each center and collaborative.

20. (a) The funds appropriated in Schedule (17) for the Transfer Education and Articulation Program are available to support transfer and articulation projects and common course numbering projects.

(b) Funding provided to community college districts from Schedule (17) is provided to directly offset any mandated costs claimed by community college districts pursuant to Chapter 737 of the Statutes of 2004.

21. (a) ~~\$13,673,000~~ *One-half* of the funds appropriated in Schedule (18) ~~is~~ *are* available for the following purposes:

(1) Scheduled maintenance and special repairs of facilities. The Chancellor of the California Community Colleges shall allocate funds to districts on the basis of actual reported full-time equivalent students (FTES), and may establish a minimum allocation per district. As a condition for receiving and expending these funds for maintenance or special repairs, a district shall certify that it will increase its operations and maintenance spending from the 1995–96 fiscal year by the amount it allocates from this appropriation for maintenance and special repairs, plus an equal amount to be provided from district discretionary funds. The chancellor may waive all or a portion of the matching requirement based upon a review of a district's financial condition. The question of whether a district has complied with its resolution shall be reviewed under the annual audit of that district. For every \$1 a district expends from this appropriation for scheduled maintenance and special repairs, the recipient district shall provide \$1 in matching funds.

- 1 (2) Hazardous substances abatement, cleanup,
2 and repairs.
- 3 (3) Architectural barrier removal projects that
4 meet the requirements of the federal Ameri-
5 cans with Disabilities Act of 1990 (42 U.S.C.
6 Sec. 12101 et seq.) and seismic retrofit pro-
7 jects limited to \$400,000. Districts that re-
8 ceive funds for architectural barrier removal
9 projects shall provide a \$1 match for every
10 \$1 provided by the state.
- 11 (b) ~~\$13,672,000~~ *One-half* of the funds appropriated
12 in Schedule (18) ~~is~~ *are* available for replacement
13 of instructional equipment and library materials.
14 For every \$3 a district expends from this appropri-
15 ation for replacement of instructional equipment
16 or library materials, the recipient district shall
17 provide \$1 in matching funds. The chancellor may
18 waive all or a portion of the matching requirement
19 based upon a review of a district's financial con-
20 dition. The funds provided for instructional
21 equipment and library materials shall not be used
22 for personal services costs or operating expenses.
23 The chancellor shall allocate funds to districts on
24 the basis of actual reported FTES and may estab-
25 lish a minimum allocation per district. The ques-
26 tion of whether a district has complied with its
27 resolution shall be reviewed under the annual au-
28 dit of that district.
- 29 (c) The funds appropriated in Schedule (18) shall be
30 available for expenditure until June 30, ~~2010~~
31 *2011*.
- 32 22. Of the funds appropriated in Schedule (19) for Extend-
33 ed Opportunity Programs and Services, ~~\$106,786,000~~
34 *\$89,188,000* is for Extended Opportunity Programs
35 and Services (EOPS) in accordance with Article 8
36 (commencing with Section 69640) of Chapter 2 of
37 Part 42 of Division 5 of Title 3 of the Education Code.
38 Funds provided in this item for EOPS shall be avail-
39 able to students on all campuses within the California
40 Community College system, including those students

on new campuses or in new districts. In addition, ~~\$15,505,000~~ *\$12,949,400* is for funding, at all colleges, the Cooperative Agencies Resources for Education (CARE) program in accordance with Article 4 (commencing with Section 79150) of Chapter 9 of Part 48 of Division 7 of Title 3 of the Education Code. The Board of Governors of the California Community Colleges shall allocate funds on a priority basis to local programs on the basis of need for student services.

23. Of the funds appropriated in Schedule (19) for the Extended Opportunity Programs and Services, no less than \$6,900,000 shall be available to support additional textbook assistance grants to community college students as an allowable expenditure consistent with paragraph (10) of subdivision (b) of Section 69648 of the Education Code. In addition, these funds shall not supplant the amount of resources used for ~~text-book~~ *textbook* grants in 2001–02.

24. The funds appropriated in Schedule (20) for the Fund for Student Success is for additional targeted student services, to be expended as follows:

(a) ~~\$1,921,000~~ *\$1,642,000* is for the Puente Project to support up to 75 colleges. These funds are available if matched by \$200,000 of private funds and the participating community colleges and University of California campuses maintain their 1995–96 fiscal year support level for the Puente Project. All funding shall be allocated directly to participating districts in accordance with their participation agreement.

(b) Up to ~~\$2,459,000~~ *\$2,102,000* is for the Mathematics, Engineering and Science Achievement (MESA) Program. For each dollar allocated, the recipient district shall provide \$1 in matching funds.

(c) No less than ~~\$1,778,000~~ *\$1,518,820* is for the Middle College High School Program. With the exception of fully compliant special part-time students at the community colleges pursuant to Sections 48802 and 76001 of the Education Code,

1 student workload based on participation in the
2 Middle College High School Program shall not
3 be eligible for community college state apportion-
4 ment. Further, no community college state appor-
5 tionment shall be made available for physical ed-
6 ucation classes, noncredit classes, nor other
7 courses specified in Provision 8.

8 25. Pursuant to Sections 69648.5, 78216, and 84850, and
9 subdivision (b) of Section 87108, of the Education
10 Code, the Board of Governors of the California Com-
11 munity Colleges may allocate funds appropriated in
12 Schedules (6), (9), (11), and (19) by grant or contract,
13 or through the apportionment process, to one or more
14 districts for the purpose of providing program evalua-
15 tion, accountability, monitoring, or program develop-
16 ment services, as appropriate under the applicable
17 statute.

18 26. The funds appropriated in ~~Schedule (21)~~ for the Career
19 Technical Education Program are for the purpose of
20 aligning career-technical education curriculum be-
21 tween K–12 and community colleges in targeted indus-
22 try-driven programs offered through the Economic
23 and Workforce Development Program. Prior to the
24 allocation of these funds, the Chancellor of the Cali-
25 fornia Community Colleges, in conjunction with the
26 State Department of Education, shall submit a pro-
27 posed expenditure plan for the funds contained in this
28 item, and the rationale therefor, to the Department of
29 Finance by August 1, 2009, for approval.

30 Of the funds appropriated in ~~Schedule (21)~~ for the
31 *Career Technical Education Program*, no more than
32 \$2,500,000 is available for the development and en-
33 hancement of health-related career pathway programs
34 in grades 7 to 12, inclusive, and for the articulation
35 and alignment of health-related curriculum between
36 schools with pupils in kindergarten and grades 1 to
37 12, inclusive, and the California Community Colleges.

38 27. The funds appropriated in Schedule (22) for the
39 Campus ~~Childcare~~ *Child Care* Tax Bailout shall be
40 allocated by the Chancellor of the California Commu-

1 nity Colleges to community college districts that levied
 2 child care permissive override taxes in the 1977–78
 3 fiscal year pursuant to Sections 8329 and 8330 of the
 4 Education Code in an amount ~~equal~~ *proportional* to
 5 the property tax revenues, tax relief subventions, and
 6 state aid required to be made available by the district
 7 to its child care and development program for the
 8 1979–80 fiscal year pursuant to Section 30 of Chapter
 9 1035 of the Statutes of 1979, increased by any cost-
 10 of-living increases granted in subsequent fiscal years.
 11 These funds shall be used only for the purpose of
 12 community college child care and development pro-
 13 grams.

14 28. With regard to the funds appropriated in Schedule
 15 (23), Nursing Program Support, all of the following
 16 shall apply:

- 17 (a) ~~\$14,000,000~~ *\$11,760,000* shall be used to provide
 18 support for nursing program enrollment and
 19 equipment needs consistent with paragraph (2) of
 20 subdivision (a) of Section 2 of Chapter 514 of the
 21 Statutes of 2001. Funding for nursing enrollment
 22 shall provide a marginal increase in funding in
 23 addition to the amount provided for each full-time
 24 equivalent student for regular growth in apportion-
 25 ments.
- 26 (b) ~~\$8,100,000~~ *\$6,804,000* shall be used to provide
 27 diagnostic and support services, preentry course-
 28 work, alternative program delivery model devel-
 29 opment, and other services to reduce the incidence
 30 of student attrition in nursing programs.
- 31 (c) Funds shall be allocated according to the follow-
 32 ing criteria:
 - 33 (1) The degree to which the funds provided
 34 would be used to increase student enrollment
 35 in nursing programs beyond the level of full-
 36 time equivalent students served in the
 37 2008–09 academic year.
 - 38 (2) The district’s level of attrition from nursing
 39 programs and the suitability of planned ex-
 40 penditures to address attrition levels.

- 1 (3) The degree to which funds provided would
2 be used to support infrastructure or equip-
3 ment needs with the intent of building capac-
4 ity and increasing the number of nursing
5 students served.
- 6 (4) For districts with attrition rates of 15 percent
7 or more, new funding shall focus on attrition
8 reduction. For districts with attrition rates
9 below 15 percent, new funding shall focus
10 on enrollment expansion.
- 11 (d) On or before March 1 of each year, the Chancellor
12 of the California Community Colleges shall pro-
13 vide the Legislature and the Department of Fi-
14 nance with a report on the allocation of funding.
15 For each district receiving funding under this item,
16 the report shall include all of the following: (1)
17 the amount of funding received, (2) the number
18 of nursing full-time equivalent students served in
19 the 2006–07 academic year, and the additional
20 number of nursing full-time equivalent students
21 served with funding provided in this item in each
22 subsequent year, (3) the district's attrition and
23 completion rates in the 2006–07 academic year
24 and subsequent years, (4) any equipment or infra-
25 structure-related items acquired with the funds
26 appropriated in this item, and (5) the number of
27 new and existing faculty receiving annual stipend
28 awards.
- 29 29. *Notwithstanding any other provision of law, the*
30 *Chancellor of the California Community Colleges may*
31 *reduce community college district base workload*
32 *measures to match available funding under Schedule*
33 *(1), which reflects a base reduction of \$120,000,000,*
34 *and local revenues designated to support community*
35 *college district general apportionments. It is the intent*
36 *of the Legislature that community college districts, to*
37 *the greatest extent possible, shall implement any nec-*
38 *essary workload reductions in areas other than basic*
39 *skills, workforce training, and transfer. On or before*
40 *March 1, 2010, the chancellor shall provide the Leg-*

islature and the Director of Finance with a report on the implementation of this provision.

30. Notwithstanding any other provision of law, the Chancellor of the California Community Colleges shall allocate categorical funds as specified in legislation enacted in 2009. Pursuant to the conditions specified in that legislation, districts may utilize funds allocated from Schedules (2), (9), (10), (11), (12), (13), (14), (16), (17), (18), (21), and (22) as further specified in that legislation.

SEC. 464. Item 6870-103-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

6870-103-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98), to allow selected community colleges to make required lease-purchase payments..... 66,829,000

Schedule:

(1) Rental and administration..... 68,911,000

(2) Reimbursements..... -2,082,000

Provisions:

1. ~~The funds appropriated in this item are for transfer by the Controller to Section B of the State School Fund.~~ The Controller shall transfer funds appropriated in this item for base rental, fees, and insurance as and when provided for in the schedule submitted by the State Public Works Board or the Department of Finance. Notwithstanding the payment dates in any related Facility Lease or Indenture, the schedule may provide for an earlier transfer of funds to ensure debt requirements are met and base rental payments are paid in full when due.

2. The Controller shall transfer funds appropriated in this item according to a schedule to be provided by the State Public Works Board. The schedule shall be provided on a monthly basis or as otherwise needed to ensure debt requirements are met.

3. This item may contain adjustments pursuant to Section 4.30 that are not currently reflected. Any adjustments

to this item shall be reported to the Joint Legislative
Budget Committee pursuant to Section 4.30.

*SEC. 465. Item 6870-111-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

6870-111-0001—For local assistance, Board of Governors of the California Community Colleges.....	0
Schedule:	
(1) 10.20-CalWORKs Services.....	8,000,000
(2) 20.10.060-Foster Parent Training.....	6,112,000
(3) 20.30.030-Vocational Education.....	56,741,000
	76,287,000
(3.5) 20.30.034-Corrections Training Pro- gram.....	2,610,000
(4) 20.30.011-Telecommunications and Technology Infrastructure.....	292,000
(5) 20.30.050-Economic Development.....	1,340,000
	10,540,000
(6) Reimbursements.....	-75,095,000
	-103,841,000

Provisions:

1. The funds appropriated in Schedules (1) and (3) are for transfer by the Controller to Section B of the State School Fund.
2. The funds appropriated in Schedule (1) are to fund additional fixed, variable, and one-time costs for providing support services and instruction for CalWORKs students that include, but are not limited to, job placement and coordination, curriculum development and redesign, child care and workstudy, and instruction. As a condition of receiving funding, colleges are required to submit a plan to the Office of the Chancellor of the California Community Colleges describing how the funds will be utilized, which shall be based on collaboration with county welfare offices regarding the services and instruction that are needed for CalWORKs recipients.
3. The funds appropriated in Schedule (3.5) reflect an interagency agreement with the Department of Correc-

tions and Rehabilitation to support the delivery of staff training and instruction services to the department's staff throughout the state. These funds shall not be made available to the community colleges until 30 days after the interagency agreement is provided to the Legislature.

4. The funds appropriated in Schedule (4) shall be used to support Phase 2 of the CCCTran project.

5. ~~The~~ *Of the* funds appropriated in Schedule (5), \$1,340,000 shall be used to support an interagency agreement between the Office of the Chancellor of the California Community Colleges and the Department of Transportation for the purpose of providing assistance and training in business management practices to small and disadvantaged businesses in an effort to increase their capacity to be successful in bidding for state transportation contracts.

6. *The funds appropriated in Schedule (5) reflect an increase of \$3,200,000 to support interagency agreements between the Office of the Chancellor of the California Community Colleges and the Employment Development Department for the following purposes:*

(a) *Offering bridging courses and programs for licensed vocational nurses, paramedics, or independent duty corpsmen to meet the requirements for taking and successfully completing examinations to become a registered nurse.*

(b) *Expanding enrollments in allied health occupation programs in community colleges.*

7. *The funds appropriated in Schedule (5) reflect an increase of \$6,000,000 to support interagency agreements between the Office of the Chancellor of the California Community Colleges and the Employment Development Department for the continued support of the Governor's Nursing Initiative.*

SEC. 466. *Item 6870-295-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:*

6870-295-0001—For local assistance, Board of Governors of the California Community Colleges (Proposition 98), for reimbursement, in accordance with provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the Controller..... 3,000

Schedule:

- (1) ~~98.01.000.184-Health~~ 98.01.001.184-
Health Fees (Ch. 1, Stats. 1984, 2nd Ex.
Sess.) (CSM-4206)..... 1,000
- (2) 98.01.090.896-Sex Offenders: Disclosure Requirements (Ch. 908, Stats. 1996) (CSM-97-TC-15)..... 1,000
- (3) 98.01.028.498-Law Enforcement Jurisdiction Agreements (Ch. 284, Stats. 1998) (CSM-98-TC-20)..... 1,000

Provisions:

1. Allocation of funds appropriated in this item to the appropriate local entities shall be made by the Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior-year claims may be paid from this item. Funds appropriated in this item may be used to provide reimbursement pursuant to Article 5 (commencing with Section 17615) of Chapter 4 of Part 7 of Division 4 of Title 2 of the Government Code.
2. If any of the scheduled amounts are insufficient to provide full reimbursement of costs, the Controller may, upon notifying the Director of Finance in writing, augment those deficient amounts from the unencumbered balance of any other scheduled amounts therein. No order may be issued pursuant to this provision unless written notification of the necessity therefor is provided to the chairpersons of the committees in each

house of the Legislature that consider appropriations,
and the Chairperson of the Joint Legislative Budget
Committee or his or her designee.

*SEC. 467. Item 6870-301-6028 of Section 2.00 of the Budget
Act of 2009 is repealed.*

~~6870-301-6028—For capital outlay, Board of Governors of the
California Community Colleges, to be allocated by the
board of governors to community college districts for ex-
penditure as set forth in the schedule below, payable from
the 2002 Higher Education Capital Outlay Bond Fund.... 12,387,000~~

~~Schedule:~~

~~San Diego Community College District~~

~~San Diego City College~~

~~(1) 40.47.103-Child Development Center—~~

~~Preliminary plans and working draw-
ings..... 594,000~~

~~West Valley-Mission Community College District~~

~~Districtwide~~

~~(2) 40.69.301-Fire Alarm System Replace-~~

~~ment—Construction..... 11,793,000~~

*SEC. 468. Item 6870-301-6041 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

6870-301-6041—For capital outlay, Board of Governors of the
California Community Colleges, to be allocated by the
board of governors to community college districts for ex-
penditure as set forth in the schedule below, payable from
the 2004 Higher Education Capital Outlay Bond Fund.... ~~20,246,000~~
7,031,000

Schedule:

Coast Community College District

Orange Coast College

(1) 40.11.313-Music Building Moderniza-

tion—Preliminary plans and working
drawings..... 343,000

Los Rios Community College District

American River College

1	(2) 40.27.108-Life Science and Fine Arts	
2	Modernization—Preliminary plans and	
3	working drawings.....	128,000
4	Santa Clarita Community College District	
5	College of the Canyons	
6	(3) 40.54.117-Administration/Student Ser-	
7	vices—Preliminary plans and working	
8	drawings.....	236,000
9	Siskiyou Joint Community College District	
10	College of the Siskiyous	
11	(4) 40.59.104-Science Complex Moderniza-	
12	tion—Construction and equipment.....	13,215,000
13	State Center Community College District	
14	Fresno City College	
15	(5) 40.64.109-Old Administration Building,	
16	North and East Wings, Phase III—Pre-	
17	liminary plans and working drawings....	153,000
18	Ventura County Community College District	
19	Ventura College	
20	(6) 40.65.305-Buildings APP, S, and DP	
21	Modernization—Construction and	
22	equipment.....	5,294,000
23	Yuba Community College District	
24	Yuba College	
25	(7) 40.71.111-Building 1100 Learning Re-	
26	source Center Renovation—Preliminary	
27	plans and working drawings.....	877,000
28		
29	<i>SEC. 469. Item 6870-301-6049 of Section 2.00 of the Budget</i>	
30	<i>Act of 2009 is amended to read:</i>	
31		
32	6870-301-6049—For capital outlay, Board of Governors of the	
33	California Community Colleges, to be allocated by the	
34	board of governors to community college districts for ex-	
35	penditure as set forth in the schedule below, payable from	
36	the 2006 California Community College Capital Outlay	
37	Bond Fund.....	155,809,000
38		204,082,000
39	Schedule:	
40	Antelope Valley Community College District	

1	Antelope Valley College	
2	(1) 40.03.115-Health and Science Build-	
3	ing—Equipment.....	1,716,000
4	El Camino Community College District	
5	El Camino College Compton Center	
6	(2) 40.14.116-Infrastructure Replacement	
7	Phase 1—Construction.....	29,480,000
8	(3) 40.14.202-Infrastructure Replacement	
9	Phase 2—Preliminary plans and work-	
10	ing drawings.....	1,040,000
11	Imperial Community College District	
12	Imperial Valley College	
13	(4) 40.21.105-Building 400 Moderniza-	
14	tion—Preliminary plans and working	
15	drawings.....	209,000
16	Kern Community College District	
17	Bakersfield College	
18	(5) 40.22.112-Performing Arts Moderniza-	
19	tion—Preliminary plans and working	
20	drawings.....	1,637,000
21	Long Beach Community College District	
22	Long Beach City College, Pacific Coast Campus	
23	(6) 40.25.117-Multi-Disciplinary Academic	
24	Building—Construction and equip-	
25	ment.....	15,793,000
26	Los Angeles Community College District	
27	East Los Angeles College	
28	(7) 40.26.107-Fine and Performing Arts	
29	Center—Equipment.....	2,824,000
30	Los Rios Community College District	
31	Cosumnes River College	
32	(8) 40.27.214-North East Buildings Modern-	
33	ization—Preliminary plans and working	
34	drawings.....	178,000
35	Monterey Peninsula Community College District	
36	Monterey Peninsula College	
37	(9) 40.32.107-Modernize Humanities,	
38	Business, and Student Services Build-	
39	ings—Preliminary plans and working	
40	drawings.....	403,000

1	Redwoods Community College District	
2	College of the Redwoods	
3	(10) 40.42.107-New Science/Humanities	
4	Building Seismic Replacement—Con-	
5	struction Replacement—Working	
6	drawings and construction.....	27,304,000
7		28,047,000
8	Riverside Community College District	
9	Moreno Valley Center	
10	(11) 40.44.208-Phase III Student Academic	
11	Services Building—Preliminary plans	
12	and working drawings.....	437,000
13	South Orange County Community College District	
14	Irvine Valley College	
15	(12) 40.45.131-Life Sciences Building—	
16	Construction and equipment.....	16,111,000
17	<i>Santa Barbara Community College District</i>	
18	<i>Santa Barbara City College</i>	
19	(12.5) 40.53.122-High Technology Center—	
20	Construction and equipment.....	22,522,000
21	Sequoias Community College District	
22	College of the Sequoias	
23	(13) 40.56.116-Administration Building	
24	Remodel for Efficiency—Preliminary	
25	plans and working drawings.....	603,000
26	Tulare Center	
27	(14) 40.56.200-Phase I Site Development	
28	and Facilities—Construction and	
29	equipment.....	55,414,000
30	<i>Siskiyou Joint Community College District</i>	
31	<i>College of the Siskiyous</i>	
32	(14.5) 40.59.104-Science Complex Modern-	
33	ization—Construction and equip-	
34	ment.....	13,215,000
35	Sonoma County Junior Community College	
36	Santa Rosa Junior College	
37	(15) 40.61.104-Health, Physical Education	
38	and Wellness Complex—Preliminary	
39	plans and working drawings.....	2,317,000

~~Chabot-Los Chabot-Las Positas Community College Dis-~~
~~trict~~
 Chabot College
 (16) 40.62.116-Math-Science Moderniza-
 tion—Preliminary plans and working
 drawings..... 163,000
 Ventura County Community College District
 Ventura College
 (17) 40.65.308-Studio Arts Building Modern-
 ization—Preliminary plans and working
 drawings..... 180,000
West Valley-Mission Community College District
Districtwide
 (18) 40.69.301-Fire Alarm System Replace-
 ment—Construction..... 11,793,000

SEC. 470. *Item 6870-490 is added to Section 2.00 of the Budget Act of 2009, to read:*

6870-490—Reappropriation, Board of Governors of the Cali-
fornia Community Colleges. The balances of the appropri-
ations provided in the following citations are reappropri-
ated for the purposes and subject to the limitations, unless
otherwise specified, in those appropriations:
0785—1988 Higher Education Capital Outlay Bond Fund
 (1) *Item 6870-301-0785, Budget Act of 2008 (Chs. 268*
and 269, Stats. 2008)
Los Angeles Community College District
Los Angeles City College
 (1) *40.26.209-Jefferson Hall Modernization—Con-*
struction and equipment
South Orange County Community College District
Irvine Valley College
 (2) *40.45.131-Life Sciences Building—Working*
drawings
6028—2002 Higher Education Capital Outlay Bond Fund
 (1) *Item 6870-301-6028, Budget Act of 2006 (Chs. 47 and*
48, Stats. 2006)
Desert Community College District
College of the Desert

(1) 40.10.113-Water and Sewer Infrastructure Re-
placement—Construction

San Luis Obispo County Community College District
Cuesta College

(4.5) 40.51.112-Theater Arts Building—Equipment
6041—2004 Higher Education Capital Outlay Bond Fund

(1) Item 6870-301-6041, Budget Act of 2004 (Ch. 208,
Stats. 2004), as reappropriated by Item 6870-490,
Budget Act of 2005 (Chs. 38 and 39, Stats. 2005), and
Item 6870-491, Budget Act of 2006 (Chs. 47 and 48,
Stats. 2006), and reverted by Item 6870-497, Budget
Act of 2006 (Chs. 47 and 48, Stats. 2006), and reap-
propriated by Item 6870-490, Budget Act of 2007 (Chs.
171 and 172, Stats. 2007) and Budget Act of 2008
(Chs. 268 and 269, Stats. 2008)

Los Angeles Community College District

Los Angeles Pierce College

(26) 40.26.505-Child Development Center—Equip-
ment

Copper Mountain Community College District

Copper Mountain College

(76) 40.72.100-Multi-Use Sports Complex—Equip-
ment

(2) Item 6870-301-6041, Budget Act of 2005 (Chs. 38 and
39, Stats. 2005), as reappropriated by Item 6870-491,
Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and
reverted by Item 6870-497, Budget Act of 2007 (Chs.
171 and 172, Stats. 2007), and reappropriated by Item
6870-490, Budget Act of 2007 (Chs. 171 and 172,
Stats. 2007) and Budget Act of 2008 (Chs. 268 and
269, Stats. 2008)

Los Angeles Community College District

Los Angeles Harbor College

(15) 40.26.304-Child Development Center—Equip-
ment

Rio Hondo Community College District

Rio Hondo College

(30) 40.43.108-Learning Resource/High Technology
Center—Equipment

- (3) *Item 6870-301-6041, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 6870-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007) and Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*
Chaffey Community College District
Chaffey College
 - (1) *40.08.112-Health and Physical Science Building Renovation—Construction**Citrus Community College District*
Citrus College
 - (2) *40.09.123-Vocational Technology Building—Equipment**Santa Barbara Community College District*
Santa Barbara City College
 - (4) *40.53.123-Drama/Music Building Modernization—Construction and equipment*
 - (4) *Item 6870-303-6041, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)*
San Mateo County Community College District
College of San Mateo
 - (1) *40.52.208-Demolition of Seismic Hazardous Buildings—Construction*
 - (5) *Item 6870-301-6041, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*
Cerritos Community College District
Cerritos College
 - (1) *40.07.121-Gymnasium Seismic Retrofit—Construction**Siskiyou Joint Community College District*
College of the Siskiyous
 - (3) *40.59.104-Science Complex Modernization—Working drawings**West Valley-Mission Community College District*
Districtwide
 - (4) *40.69.301-Fire Alarm System Replacement—Working drawings*
- 6049—2006 California Community College Capital Outlay Bond Fund*

- 1 (1) *Item 6870-303-6049, Budget Act of 2006 (Chs. 47 and*
- 2 *48, Stats. 2006), as reappropriated by Item 6870-490,*
- 3 *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)*
- 4 *Butte-Glenn Community College District*
- 5 *Butte College*
- 6 (1) *40.05.108-Instructional Arts Building—Equipment*
- 7 *Citrus Community College District*
- 8 *Citrus College*
- 9 (3) *40.09.126-Student Services Building—Equipment*
- 10 *Grossmont-Cuyamaca Community College District*
- 11 *Cuyamaca College*
- 12 (4) *40.19.118-Business/CIS Building—Construction*
- 13 *and equipment*
- 14 *Grossmont College*
- 15 (5) *40.19.210-Health Sciences Building—Construc-*
- 16 *tion and equipment*
- 17 *Hartnell Community College District*
- 18 *Hartnell East Campus*
- 19 (6) *40.20.103-Center for Applied Technology—Equip-*
- 20 *ment*
- 21 *Kern Community College District*
- 22 *Porterville College*
- 23 (8) *40.22.307-Wellness Center—Equipment*
- 24 *Los Angeles Community College District*
- 25 *Los Angeles City College*
- 26 (9) *40.26.208-Franklin Hall Modernization—Equip-*
- 27 *ment*
- 28 *Los Angeles Pierce College*
- 29 (11) *40.26.510-Physical Education Building Renova-*
- 30 *tion—Equipment*
- 31 *Los Angeles Trade-Technical College*
- 32 (12) *40.26.703-Renovate and Modernize Building*
- 33 *A—Equipment*
- 34 *Los Angeles Valley College*
- 35 (13) *40.26.804-Child Development Center—Equip-*
- 36 *ment*
- 37 *Mt. San Antonio Community College District*
- 38 *Mt. San Antonio College*
- 39 (16) *40.33.116-Design and Online Tech Center—Con-*
- 40 *struction and equipment*

1 *Napa Valley Community College District*
2 *Napa Valley College*
3 *(17) 40.35.104-Library/Learning Resource Cen-*
4 *ter—Construction and equipment*
5 *North Orange County Community College District*
6 *Cypress College*
7 *(18) 40.36.102-Humanities Building 1 Renova-*
8 *tion—Construction*
9 *Fullerton College*
10 *(19) 40.36.203-South Science Building Replace-*
11 *ment—Construction*
12 *Rio Hondo Community College District*
13 *Rio Hondo College*
14 *(20) 40.43.109-Physical Education Facilities—Con-*
15 *struction and equipment*
16 *State Center Community College District*
17 *Willow International Center*
18 *(27) 40.64.501-Academic Facilities, Phase*
19 *II—Equipment*
20 *Ventura County Community College District*
21 *Moorpark College*
22 *(28) 40.65.113-Health Science Expansion/Replace-*
23 *ment—Equipment*
24 *Oxnard College*
25 *(29) 40.65.207-OCTV Auditorium—Equipment*
26 *West Hills Community College District*
27 *West Hills College at Coalinga*
28 *(30) 40.67.104-Wellness Center—Construction and*
29 *equipment*
30 *West Hills College at Lemoore*
31 *(31) 40.67.206-Multi-Use Sports Complex—Construc-*
32 *tion and equipment*
33 *West Kern Community College District*
34 *Taft College*
35 *(32) 40.68.104-Tech Arts Modernization—Construc-*
36 *tion*
37 *Copper Mountain Community College District*
38 *Copper Mountain College*
39 *(33) 40.72.101-Remodel for Efficiency—Construction*
40 *and equipment*

- 1 (2) *Item 6870-301-6049, Budget Act of 2007 (Chs. 171*
- 2 *and 172, Stats. 2007), as reverted by Item 6870-497,*
- 3 *Budget Act of 2008 (Chs. 268 and 269, Stats. 2008),*
- 4 *and reappropriated by Item 6870-490, Budget Act of*
- 5 *2008 (Chs. 268 and 269, Stats. 2008)*
- 6 *Allan Hancock Community College District*
- 7 *Allan Hancock College*
- 8 (1) *40.02.118-One-Stop Student Services Cen-*
- 9 *ter—Construction and equipment*
- 10 *Contra Costa Community College District*
- 11 *Los Medanos College*
- 12 (10) *40.13.316-Art Area Remodel—Construction*
- 13 *San Francisco Community College District*
- 14 *City College of San Francisco, Chinatown Center*
- 15 (36) *40.48.301-Campus Building—Construction*
- 16 *San Joaquin Delta Community College District*
- 17 *San Joaquin Delta College*
- 18 (37) *40.49.108-Goleman Learning Resource Center*
- 19 *Modernization—Construction and equipment*
- 20 *West Valley-Mission Community College District*
- 21 *West Valley College*
- 22 (51) *40.69.110-Science and Math Building Renova-*
- 23 *tion—Construction*
- 24 (3) *Item 6870-303-6049, Budget Act of 2007 (Chs. 171*
- 25 *and 172, Stats. 2007)*
- 26 *Cabrillo Community College District*
- 27 *Cabrillo College*
- 28 (1) *40.06.113-Visual Arts Reconstruction (Building*
- 29 *300)—Working drawings, construction, and*
- 30 *equipment*
- 31 *Ohlone Community College District*
- 32 *Ohlone College*
- 33 (2) *40.16.113-Below Grade Water Intrusion Re-*
- 34 *pair—Construction*
- 35 *Grossmont-Cuyamaca Community College District*
- 36 *Cuyamaca College*
- 37 (3) *40.19.119-LRC Expansion/Remodel, Phase*
- 38 *I—Working drawings, construction, and equip-*
- 39 *ment*
- 40 *Los Angeles Community College District*

1 *East Los Angeles College*
2 (4) 40.26.109-Bailey Library Modernization/Addi-
3 tion—Construction and equipment
4 *Los Angeles Mission College*
5 (5) 40.26.411-Media Arts Center—Construction and
6 equipment
7 *San Mateo County Community College District*
8 *Cañada College*
9 (6) 40.52.105-Reconstruction of Academic Facili-
10 ties—Construction and equipment
11 *West Kern Community College District*
12 *Taft College*
13 (7) 40.68.105-TIL Center—Construction and equip-
14 ment
15 (4) Item 6870-301-6049, Budget Act of 2008 (Chs. 268
16 and 269, Stats. 2008)
17 *Antelope Valley Community College District*
18 *Antelope Valley College*
19 (1) 40.03.115-Health and Science Building—Construc-
20 tion
21 *Barstow Community College District*
22 *Barstow College*
23 (2) 40.04.105-Wellness Center—Construction and
24 equipment
25 *Chaffey Community College District*
26 *Ralph M. Lewis Fontana Center*
27 (3) 40.08.201-Fontana Center Phase III, Academic
28 Building—Construction and equipment
29 *Coast Community College District*
30 *Orange Coast College*
31 (4) 40.11.312-Consumer and Science Laboratory
32 Building—Construction and equipment
33 *El Camino Community College District*
34 *El Camino College*
35 (5) 40.14.115-Social Science Remodel for Efficien-
36 cy—Construction and equipment
37 *El Camino College Compton Center*
38 (5.5) 40.14.116-Infrastructure Replacement Phase
39 I—Working drawings
40 *Los Angeles Community College District*

1	<i>Los Angeles Harbor College</i>
2	(6) 40.26.305-Library/Learning Resource Center—Construction
3	
4	<i>Los Angeles Trade-Technical College</i>
5	(7) 40.26.705-Learning Assistance Center Renovation—Construction and equipment
6	
7	<i>Los Rios Community College District</i>
8	<i>Sacramento City College</i>
9	(10) 40.27.313-Performing Arts Modernization—Construction
10	
11	<i>Mt. San Antonio Community College District</i>
12	<i>Mt. San Antonio College</i>
13	(11) 40.33.117-Administration Building Remodel—Construction and equipment
14	
15	<i>North Orange County Community College District</i>
16	<i>Fullerton College</i>
17	(12) 40.36.204-Technology and Engineering Complex—Construction and equipment
18	
19	<i>Redwoods Community College District</i>
20	<i>College of the Redwoods</i>
21	(14) 40.42.106-Student Services/Administration and Performing Arts Building—Construction
22	
23	<i>Riverside Community College District</i>
24	<i>Riverside City College</i>
25	(16) 40.44.104-Nursing/Science Building—Construction and equipment
26	
27	<i>San Joaquin Delta Community College District</i>
28	<i>San Joaquin Delta College</i>
29	(18) 40.49.109-Cunningham Math/Science Replacement—Construction
30	
31	<i>Santa Clarita Community College District</i>
32	<i>College of the Canyons</i>
33	(20) 40.54.116-Library Addition—Construction and equipment
34	
35	<i>Santa Monica Community College District</i>
36	<i>Santa Monica College</i>
37	(21) 40.55.110-Student Services and Administration Building—Construction and equipment
38	
39	<i>Sierra Joint Community College District</i>
40	<i>Sierra College</i>

(24) 40.58.108-Child Development Center—Construction and equipment

Sonoma County Junior College District

Santa Rosa Junior College

(25) 40.61.401-Public Safety Training Center Advanced Laboratory and Office Complex—Construction and equipment

West Hills Community College District

West Hills College, Coalinga

(26) 40.67.105-Agricultural Science Facility—Construction and equipment

Provisions:

1. Notwithstanding any other provision of law, the reappropriations made in this item shall be available for encumbrance as follows:

(a) Preliminary plans and working drawings until June 30, 2011.

(b) Construction and equipment until June 30, 2013.

SEC. 471. Item 6870-491 is added to Section 2.00 of the Budget Act of 2009, to read:

6870-491—Reappropriation, Board of Governors of the California Community Colleges. Notwithstanding any other provision of law, the period to liquidate encumbrances of the following citations is extended to June 30, 2011:

0574—1998 Higher Education Capital Outlay Bond Fund

(1) Item 6870-301-0574, Budget Act of 2001 (Ch. 106, Stats. 2001), as amended by Chapter 891 of the Statutes of 2001, and as reappropriated by Item 6870-490, Budget Act of 2002 (Ch. 379, Stats. 2002) and Budget Act of 2004 (Ch. 208, Stats. 2004), and reverted by Item 6870-497, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

Compton Community College District

Compton College

(15) 40.12.107-Seismic Replacement/Expansion LRC—Equipment

(16) 40.12.109-Child Development Center—Equipment

- 1 6028—2002 *Higher Education Capital Outlay Bond Fund*
2 (1) *Item 6870-301-6028, Budget Act of 2003 (Ch. 157,*
3 *Stats. 2003), as reappropriated by Item 6870-490,*
4 *Budget Act of 2004 (Ch. 208, Stats. 2004) and Budget*
5 *Act of 2005 (Chs. 38 and 39, Stats. 2005), and reverted*
6 *by Item 6870-497, Budget Act of 2006 (Chs. 47 and*
7 *48, Stats. 2006)*
8 *Grossmont-Cuyamaca Community College District*
9 *Cuyamaca College*
10 (23) *40.19.116-Science and Technology*
11 *Mall—Equipment*
12 *Lake Tahoe Community College District*
13 *Lake Tahoe College*
14 (30) *40.23.111-Learning Resource Center—Equip-*
15 *ment*
16 *Santa Clarita Community College District*
17 *College of the Canyons*
18 (69) *40.54.112-Classroom/High Tech Center—Equip-*
19 *ment*
20 *Ventura County Community College District*
21 *Moorpark College*
22 (84) *40.65.109-Child Development Center—Equip-*
23 *ment*
24 (2) *Item 6870-301-6028, Budget Act of 2004 (Ch. 208,*
25 *Stats. 2004), as reappropriated by Item 6870-490,*
26 *Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)*
27 *Allan Hancock Joint Community College District*
28 *Allan Hancock College*
29 (1) *40.02.117-Skills Center Replacement—Construc-*
30 *tion and equipment*
31 *Foothill-De Anza Community College District*
32 *Foothill College*
33 (5) *40.15.211-Seismic Replacement-Student Ser-*
34 *vices—Equipment*
35 *North Orange County Community College District*
36 *Cypress College*
37 (11) *40.36.101-Piazza Infrastructure Repair—Con-*
38 *struction*
39 (3) *Item 6870-301-6028, Budget Act of 2006 (Chs. 47 and*
40 *48, Stats. 2006)*

San Bernardino Community College District

San Bernardino Valley College

(2) 40.46.215-North Hall Seismic Replacement—Preliminary plans and working drawings

(3) 40.46.216-North Hall/Media Communications Seismic Replacement—Preliminary plans and working drawings

(4) 40.46.217-Chemistry and Physical Science Seismic Replacement—Preliminary plans and working drawings

6041—2004 Higher Education Capital Outlay Bond Fund

(1) Item 6870-301-6041, Budget Act of 2004 (Ch. 208, Stats. 2004), as reappropriated by Item 6870-490, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005) and Item 6870-491, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and reverted by Item 6870-497, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and reappropriated by Item 6870-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), and reverted by Item 6870-497, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), and reappropriated by Item 6870-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Allan Hancock Joint Community College District

Allan Hancock College

(1) 40.02.114-Science Health Occupations Complex—Construction and equipment

Contra Costa Community College District

Los Medanos College

(7) 40.13.314-Math, Science, Technology Building—Equipment

Foothill-De Anza Community College District

De Anza College

(9) 40.15.109-Chemistry Building Conversion to Math Lab—Equipment

(11) 40.15.111-Kirsch Center for Environmental Studies—Equipment

(13) 40.15.113-Science Center—Equipment

Foothill College

(14) 40.15.207-Life Sciences—Construction and equipment

1	<i>Grossmont-Cuyamaca Community College District</i>
2	<i>Cuyamaca College</i>
3	<i>(15) 40.19.117-Communication Arts Building—Equip-</i>
4	<i>ment</i>
5	<i>Grossmont College</i>
6	<i>(16) 40.19.208-New Digital Arts Lab—Equipment</i>
7	<i>Los Rios Community College District</i>
8	<i>Cosumnes River College</i>
9	<i>(29) 40.27.210-Science Building Modernization—Con-</i>
10	<i>struction</i>
11	<i>Merced Community College District</i>
12	<i>Merced College</i>
13	<i>(31) 40.30.116-Science Building Remodel—Equipment</i>
14	<i>Riverside Community College District</i>
15	<i>Riverside City College</i>
16	<i>(40) 40.44.103-Quadrangle Building Moderniza-</i>
17	<i>tion—Construction and equipment</i>
18	<i>Santa Barbara Community College District</i>
19	<i>Santa Barbara City College</i>
20	<i>(53) 40.53.122-High Technology Center—Working</i>
21	<i>drawings</i>
22	<i>Santa Clarita Community College District</i>
23	<i>College of the Canyons</i>
24	<i>(54) 40.54.113-Laboratory Expansion—Equipment</i>
25	<i>Chabot-Las Positas Community College District</i>
26	<i>Las Positas College</i>
27	<i>(60) 40.62.216-Multi-Disciplinary Education Build-</i>
28	<i>ing—Equipment</i>
29	<i>Southwestern Community College District</i>
30	<i>Otay Mesa Center</i>
31	<i>(62) 40.63.200-Phase I Buildings—Equipment</i>
32	<i>West Kern Community College District</i>
33	<i>Taft College</i>
34	<i>(70) 40.68.101-Child Development Center—Equip-</i>
35	<i>ment</i>
36	<i>Yuba Community College District</i>
37	<i>Yuba College</i>
38	<i>(74) 40.71.107-Engineering, Math, and Science Re-</i>
39	<i>model—Equipment</i>
40	<i>Woodland Center</i>

- 1 (75) 40.71.307-Learning Resources/Technology Cen-
2 ter—Equipment
- 3 (2) Item 6870-301-6041, Budget Act of 2005 (Chs. 38 and
4 39, Stats. 2005), as reappropriated by Item 6870-491,
5 Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), and
6 reverted by Item 6870-497, Budget Act of 2007 (Chs.
7 171 and 172, Stats. 2007), and reappropriated by Item
8 6870-490, Budget Act of 2007 (Chs. 171 and 172,
9 Stats. 2007) and Budget Act of 2008 (Chs. 268 and
10 269, Stats. 2008)
- 11 Kern Community College District
- 12 Porterville College
- 13 (10) 40.22.306-Science Modernization—Preliminary
14 plans, working drawings, and construction
- 15 Los Rios Community College District
- 16 Sacramento City College
- 17 (19) 40.27.311-North Gym Building Moderniza-
18 tion—Construction
- 19 Palo Verde Community College District
- 20 Palo Verde College
- 21 (26) 40.37.104-Fine and Performing Arts—Prelimi-
22 nary plans and working drawings
- 23 Santa Clarita Community College District
- 24 College of the Canyons
- 25 (40) 40.54.114-Physical Education Addition—Equip-
26 ment
- 27 West Kern Community College District
- 28 Taft College
- 29 (49) 40.68.103-Science Modernization—Construction
30 and equipment
- 31 6049—2006 California Community College Capital Outlay
32 Bond Fund
- 33 (1) Item 6870-301-6049, Budget Act of 2006 (Chs. 47 and
34 48, Stats. 2006), as reappropriated by Item 6870-490,
35 Budget Act of 2007 (Chs. 171 and 172, Stats. 2007),
36 and reverted by Item 6870-497, Budget Act of 2008
37 (Chs. 268 and 269, Stats. 2008)
- 38 Allan Hancock Joint Community College District
- 39 Allan Hancock College

- 1 (1) 40.02.118-One-Stop Student Services Cen-
- 2 ter—Working drawings
- 3 Contra Costa Community College District
- 4 Los Medanos College
- 5 (5) 40.13.316-Art Area Remodel—Preliminary plans
- 6 and working drawings
- 7 Los Angeles Community College District
- 8 East Los Angeles College
- 9 (6) 40.26.108-Multi-Media Classrooms—Working
- 10 drawings
- 11 Los Rios Community College District
- 12 American River College
- 13 (7) 40.27.105-Fine Arts Instructional Space Expan-
- 14 sion—Working drawings
- 15 Cosumnes River College
- 16 (8) 40.27.212-Science Building Instructional Expan-
- 17 sion—Working drawings
- 18 Sacramento City College
- 19 (9) 40.27.312-Fine Arts Building Moderniza-
- 20 tion—Working drawings
- 21 Mt. San Jacinto Community College District
- 22 Menifee Valley Center
- 23 (10) 40.34.213-General Classroom Building—Work-
- 24 ing drawings
- 25 Palomar Community College District
- 26 Palomar College
- 27 (12) 40.38.114-Multi-Disciplinary Building—Working
- 28 drawings
- 29 South Orange County Community College District
- 30 Saddleback College
- 31 (13) 40.45.217-Learning Resource Center Renova-
- 32 tion—Working drawings
- 33 San Bernardino Community College District
- 34 Crafton Hills College
- 35 (14) 40.46.106-Learning Resource/Technology Cen-
- 36 ter—Working drawings
- 37 San Joaquin Delta Community College District
- 38 San Joaquin Delta College

- (17) 40.49.108-Goleman Learning Resource Center
Modernization—Preliminary plans and working
drawings
Sequoias Community College District
College of the Sequoias
- (19) 40.56.115-Nursing and Allied Health Cen-
ter—Preliminary plans and working drawings
West Valley-Mission Community College District
West Valley College
- (20) 40.69.110-Science and Math Building Renova-
tion—Preliminary plans and working drawings
Feather River Community College District
Feather River College
- (22) 40.73.105-Learning Resource Center and Tech-
nology Building—Working drawings

SEC. 472. Item 6870-492 is added to Section 2.00 of the Budget
Act of 2009, to read:

- 6870-492—Reappropriation, California Community Colleges,
Proposition 98. The following amounts are hereby reappro-
priated for apportionments and shall be available for en-
cumbrance or expenditure until June 30, 2010, for the
purpose of partially backfilling a projected shortfall in lo-
cal property tax revenues from the 2009–10 fiscal year for
community colleges:
- (1) \$3,722,000 from Schedule (1) of Item 6870-101-0001
of the Budget Act of 2008 (Chs. 268 and 269, Stats.
2008)
 - (2) \$997,000 from Schedule (3) of Item 6870-101-0001
of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)
 - (3) \$49,000 from Schedule (6) of Item 6870-101-0001 of
the Budget Act of 2003 (Ch. 157, Stats. 2003)
 - (4) \$224,000 from Schedule (16) of Item 6870-101-0001
of the Budget Act of 2006 (Chs. 47 and 48, Stats. 2006)

SEC. 473. Item 6870-493 is added to Section 2.00 of the Budget
Act of 2009, to read:

6870-493—Reappropriation, Board of Governors of the California Community Colleges. The balances of the appropriations provided in the following citations are reappropriated for the purposes specified in Provision 1 and shall be available for encumbrance or expenditure until June 30, 2010:

(1) Item 6870-002-0890, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

Provisions:

1. The funds appropriated in this item are available to support personnel and operating expenses necessary for the implementation of the community college logistics program pursuant to a grant from the United States Department of Labor pursuant to Public Law 105-220.

SEC. 474. Item 6870-497 is added to Section 2.00 of the Budget Act of 2009, to read:

6870-497—Reversion, Board of Governors of the California Community Colleges. As of June 30, 2009, the balances specified below of the appropriations provided for in the following citations shall revert to the funds from which the appropriations were made:

0574—1998 Higher Education Capital Outlay Bond Fund

(1) Item 6870-301-0574, Budget Act of 2006 (Chs. 47 and 48, Stats. 2006), as reappropriated by Item 6870-490, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007)
Rio Hondo Community College District
Rio Hondo College

(2) 40.43.106-Applied Technology
Building Reconstruction—Construction..... 1,467,000

6041—2004 Higher Education Capital Outlay Bond Fund

(1) Item 6870-301-6041, Budget Act of 2005 (Chs. 38 and 39, Stats. 2005)

State Center Community College District
Fresno City College

(43) 40.64.108-Student Services Building
Remodel—Construction..... 68,000

1 6049—2006 California Community College Capital Outlay
2 Bond Fund
3 (1) Item 6870-301-6049, Budget Act of 2006 (Chs. 47 and
4 48, Stats. 2006)
5 San Francisco Community College District
6 City College of San Francisco, Phelan Campus
7 (16) 40.48.110-Classroom/Lab Complex
8 for Theater, Music, Visual, and Me-
9 dia Arts—Preliminary plans..... 727,000
10 (2) Item 6870-301-6049, Budget Act of 2007 (Chs. 171
11 and 172, Stats. 2007), as partially reverted by Item
12 6870-497, and reappropriated by Item 6870-490,
13 Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)
14 Los Rios Community College District
15 American River College
16 (20) 40.27.105-Fine Arts Instructional
17 Space Expansion—Construction..... 811,000
18 Cosumnes River College
19 (22) 40.27.212-Science Building Instruc-
20 tional Expansion—Construction..... 1,558,000
21 Santa Barbara Community College District
22 Santa Barbara City College
23 (40) 40.53.122-High Technology Cen-
24 ter—Construction and equip-
25 ment..... 30,672,000
26 Shasta-Tehama-Trinity Joint Community College
27 District
28 Shasta College
29 (45) 40.57.103-Library Addition—Con-
30 struction..... 1,403,000
31 (3) Item 6870-301-6049, Budget Act of 2008 (Chs. 268
32 and 269, Stats. 2008)
33 Redwoods Community College District
34 College of the Redwoods
35 (15) 40.42.107-New Science/Humanities
36 Building Seismic Replace-
37 ment—Working drawings..... 1,110,000
38 (4) Item 6870-303-6049, Budget Act of 2006 (Chs. 47 and
39 48, Stats. 2006), as reappropriated by Item 6870-490,
40 Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

1	<i>Hartnell Community College District</i>	
2	<i>Hartnell East Campus</i>	
3	(6) 40.20.103-Center for Applied Technol-	
4	ogy—Construction.....	676,000
5	<i>Los Rios Community College District</i>	
6	<i>Folsom Lake College</i>	
7	(14) 40.27.505-Physical Education Space,	
8	Phase I—Construction.....	1,278,000
9	<i>Merced Community College District</i>	
10	<i>Merced College</i>	
11	(15) 40.30.119-Allied Health Cen-	
12	ter—Construction.....	3,217,000
13	<i>Riverside Community College District</i>	
14	<i>Norco Campus</i>	
15	(21) 40.44.308-Industrial Technology	
16	Facility, Phase III—Construction.....	1,494,000
17	<i>State Center Community College District</i>	
18	<i>Willow International Center</i>	
19	(27) 40.64.501-Academic Facilities, Phase	
20	II—Construction.....	622,000

SEC. 475. Item 7100-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-001-0001—For support of Employment Development	
Department, for payment to Item 7100-001-0870.....	32,300,000
	31,145,000
Provisions:	
1. (a) Of the funds appropriated in this item, \$9,202,000	
\$8,047,000 is to support the development of the	
Automated Collection Enhancement System	
(ACES). These funds may not be used for any	
other purpose or for items outside the approved	
project scope. Changes in the project scope must	
receive approval using the established administra-	
tive and legislative reporting requirements.	
(b) The Director of Finance is authorized to increase	
or decrease this item to fund ACES implementa-	
tion workload upon receipt of a new post-vendor	
procurement special project report. Notwithstand-	

ing any other provision of law, any ~~augmentation~~
~~adjustment~~ under this provision shall be autho-
rized not sooner than 30 days after notification in
writing to the chairpersons of the fiscal commit-
tees of each house of the Legislature and the
Chairperson of the Joint Legislative Budget
Committee. The ACES procurement process for
the prime solution provider is in accordance with
Chapter 556 of the Statutes of 2005.

- (c) The Department of Finance shall report to the
Legislature the number of positions to be admin-
istratively established for the Employment Devel-
opment Department.

*SEC. 476. Item 7100-001-0185 of Section 2.00 of the Budget
Act of 2009 is amended to read:*

7100-001-0185—For support of Employment Development Department, for payment to Item 7100-001-0870, payable from the Employment Development <i>Department</i> Contin- gent Fund.....	87,800,000 67,600,000
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Provisions:

1. Funds appropriated in this item are in lieu of the
amounts that otherwise would have been appropriated
for administration pursuant to Section 1586 of the
Unemployment Insurance Code.
2. The amount appropriated in this item includes revenues
derived from the assessment of fines and penalties
imposed as specified in Section 13332.18 of the Gov-
ernment Code.
3. Notwithstanding any other provision of law and sec-
tions of this act, the Director of Employment Develop-
ment may augment this item to make interest payments
on an Unemployment Fund loan secured to pay Unem-
ployment Insurance (UI) benefits. The Employment
Development Department will notify the Department
of Finance by September 1, 2009, of a planned aug-
mentation by submitting an estimated interest calcula-
tion for review. The amount disbursed under this

augmentation is limited to actual interest due on an Unemployment Fund loan secured to pay UI benefits. Pursuant to Provision 1 of Item 7100-011-0185, any amount not disbursed for the purpose specified above shall be transferred to the General Fund.

4. Of the funds appropriated in this item, \$21,000 is to support the development of the Automated Collection Enhancement System. These funds may not be used for any other purpose or for items outside the approved project scope. Changes in the project scope must receive approval using the established administrative and legislative reporting requirements.
5. Subdivision (b) of Provision 1 of Item 7100-001-0001 also applies to this item.
6. The Secretary of Labor and Workforce Development shall report to the Director of Finance and the Joint Legislative Budget Committee on the progress of the Underground Economy Enforcement Program and shall provide justification for its continuance by September 13, 2009.

SEC. 477. Item 7100-001-0514 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-001-0514—For support of Employment Development Department, for payment to Item 7100-001-0870, payable from the Employment Training Fund.....	81,427,000
	46,427,000

Provisions:

1. Upon order of the Director of Finance, funds disencumbered from Employment Training Fund training contracts during the 2009–10 fiscal year that have not reverted as of July 1, 2009, may be appropriated in augmentation of this item.
2. Notwithstanding subparagraph (B) of paragraph (2) of subdivision (a) of Section 10206 of the Unemployment Insurance Code, the Employment Training Panel's administrative costs may exceed 15 percent of the amount appropriated in this item.

3. Of the funds appropriated in this item, \$21,000 is to support the development of the Automated Collection Enhancement System. These funds may not be used for any other purpose or for items outside the approved project scope. Changes in the project scope must receive approval using the established administrative and legislative reporting requirements.
4. Subdivision (b) of Provision 1 of Item 7100-001-0001 also applies to this item.

SEC. 478. Item 7100-001-0588 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-001-0588—For support of Employment Development Department, for payment to Item 7100-001-0870, payable from the Unemployment Compensation Disability Fund....	239,558,000
	235,240,000

Provisions:

1. The Employment Development Department shall submit on October 1, 2009, and April 20, 2010, to the Department of Finance for its review and approval, an estimate of expenditures for both the current and budget year, including the assumptions and calculations underlying Employment Development Department projections for expenditures from this item. The Department of Finance shall approve, or modify, the assumptions underlying all estimates within 15 working days of the due date. If the Department of Finance does not approve or modify in writing the assumptions underlying all estimates within 15 working days of the due date, the Employment Development Department shall consider the assumptions and calculations approved as submitted. If the Department of Finance determines that the estimate of expenditures differs from the amount appropriated by this item, the Director of Finance shall so report to the Legislature. At the time the report is made, the amount of this appropriation shall be adjusted by the difference between this Budget Act appropriation and the approved estimate of the Department of Finance. Revisions reported

pursuant to this provision are not subject to Section 28.00.

2. Of the funds appropriated in this item, \$1,035,000 is to support the development of the Automated Collection Enhancement System. These funds may not be used for any other purpose or for items outside the approved project scope. Changes in the project scope must receive approval using the established administrative and legislative reporting requirements.

3. Subdivision (b) of Provision 1 of Item 7100-001-0001 also applies to this item.

4. (a) *Of the funds appropriated in this item, \$11,261,000 is to support the development of the Disability Insurance Automation Project. These funds may not be used for any other purpose or for items outside the approved project scope. Changes in the project scope must receive approval using the established administrative and legislative reporting requirements.*

- (b) *The Director of Finance is authorized to increase or decrease this item to fund Disability Insurance Automation Project implementation workload upon receipt of a new postvendor procurement special project report. Notwithstanding any other provision of law, any adjustment under this provision shall be authorized not sooner than 30 days after notification in writing to the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee.*

- (c) *The Department of Finance shall report to the Legislature the number of positions to be administratively established for the Employment Development Department.*

SEC. 479. Item 7100-001-0869 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-001-0869—For support of state programs under the	
Workforce Investment Act (WIA), Employment Develop-	
ment Department, payable from the Consolidated Work	
Program Fund.....	152,297,000
	232,396,000

Schedule:

(1) 61.35-WIA Administration and Program	
Services.....	19,995,000
	35,186,000
(2) 61.40-WIA Growth Industries.....	7,309,000
	5,700,000
(3) 61.50-WIA Industries with a Statewide	
Need.....	20,500,000
	29,100,000
(4) 61.60-WIA Removing Barriers for Spe-	
cial Needs Populations.....	12,929,000
	64,338,000
(5) 61.70-WIA Rapid Response Activi-	
ties.....	42,064,000
	53,072,000
(5.5) 61.80-WIA Special Grants.....	4,500,000
(6) 62.10-National Emergency Grant Pro-	
gram.....	45,000,000
(7) <i>Reimbursements</i>	-4,500,000

Provisions:

1. Provision 1 of Item 7100-001-0588 also applies to Schedules (1) and (5) of this item.
- 1.5. For Schedules (2), (3), and (4), the Employment Development Department (EDD) shall submit on October 1, 2009, and April 20, 2010, to the Department of Finance for its review and approval an estimate of expenditures for both the current and prior budget fiscal years, including the assumptions and calculations underlying the EDD's projections for expenditures from these schedules. To the extent the EDD identifies unspent or receives unanticipated additional federal WIA 15-percent discretionary funds, the Department of Finance may increase expenditure authority for Schedules (2) to (4), inclusive, if the additional funding is consistent with the expenditure plan for WIA discre-

tionary funds in this item and meets the four requirements set forth in subdivision (b) of Section 28.00. Any such augmentation exceeding \$250,000 may be authorized not sooner than 30 days after written notification is provided to the chairpersons of the committees in each house of the Legislature that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine.

1.7. For Schedules (2), (3), and (4), in the event that the Employment Development Department is notified of a reduction in federal Workforce Investment Act (WIA) 15-percent discretionary funds, the Department of Finance may decrease expenditure authority for Schedules (2) to (4), inclusive. Any such decrease that exceeds \$250,000 may be authorized not sooner than 30 days after notification in writing is provided to the chairpersons of the committees in each house of the Legislature that consider the State Budget, and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the Chairperson of the Joint Legislative Budget Committee, or his or her designee, may in each instance determine.

2. The Secretary of Labor and Workforce Development is authorized to transfer up to \$500,000 of the funds appropriated in this item to the California Workforce Investment Board, Federal Trust Fund, Item 7120-001-0890, to facilitate the implementation and operation of the WIA Program. Any transfer made pursuant to this provision shall be reported in writing to the Department of Finance, the chairpersons of the fiscal committees of each house of the Legislature, and the Chairperson of the Joint Legislative Budget Committee within 30 days of the date of the transfer.

3. Notwithstanding any other provision of law, the Secretary of Labor and Workforce Development is authorized to transfer funds between categories (Schedules

(1) to (4), inclusive) as included in the schedule to be used for projects. Any transfer made pursuant to this provision shall be reported in writing to the Department of Finance, the chairpersons of the fiscal committees of each house of the Legislature, and the Chairperson of the Joint Legislative Budget Committee within 30 days of the date of the transfer.

SEC. 480. Item 7100-001-0870 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-001-0870—For support of Employment Development Department, payable from the Unemployment Administration Fund-Federal.....	575,965,000
	854,184,000
Schedule:	
(1) 10-Employment and Employment Related Services.....	167,362,000
	203,430,000
(2) 21-Tax Collections and Benefit Payments.....	717,449,000
	900,256,000
(3) 22-California Unemployment Insurance Appeals Board.....	91,199,000
	124,870,000
(4) 30.01-General Administration.....	54,388,000
(5) 30.02-Distributed General Administration.....	-51,004,000
(6) 50-Employment Training Panel.....	76,101,000
	41,101,000
(7) Reimbursements.....	-22,916,000
(8) Amount payable from the General Fund (Item 7100-001-0001).....	-32,300,000
	-31,145,000
(9) Amount payable from the Employment Development Department Benefit Audit Fund (Item 7100-001-0184).....	-14,558,000

1	(10) Amount payable from the Employment	
2	Development Contingent Fund (Item	
3	7100-001-0185).....	-87,800,000
4		-67,600,000
5	(11) Amount payable from the Employment	
6	Training Fund (Item 7100-001-	
7	0514).....	-81,427,000
8		-46,427,000
9	(12) Amount payable from the Unemploy-	
10	ment Compensation Disability Fund	
11	(Item 7100-001-0588).....	-239,558,000
12		-235,240,000
13	(13) Amount payable from the School Em-	
14	ployees Fund (Item 7100-001-0908)....	-971,000
15	Provisions:	
16	1. Funds appropriated in this item are in lieu of the	
17	amounts that otherwise would have been appropriated	
18	pursuant to Section 1555 of the Unemployment Insur-	
19	ance Code.	
20	2. Provision 1 of Item 7100-001-0588 also applies to	
21	funds appropriated in this item for the Unemployment	
22	Insurance Program.	

23
24 *SEC. 481. Item 7100-001-0871 is added to Section 2.00 of the*
25 *Budget Act of 2009, to read:*

26
27 *7100-001-0871—For support of Employment Development*
28 *Department, for payment to Item 7100-001-0870, payable*
29 *from the Unemployment Fund—Federal..... 0*
30 *Provisions:*
31 *1. The Director of Finance is authorized to augment this*
32 *item to fund unemployment insurance modernization*
33 *projects through funds made available from the*
34 *American Recovery and Reinvestment Act (P.L. 111-*
35 *5). These projects include, but are not be limited to,*
36 *implementation of an Alternate Base Period and con-*
37 *version of the Single Client Database to a relational*
38 *database management system. Notwithstanding any*
39 *other provision of law, any adjustment under this*
40 *provision shall be authorized not sooner than 30 days*

after notification in writing to the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or no sooner than any lesser time than the chairperson of the joint committee may in each instance determine.

SEC. 482. Item 7100-011-0185 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-011-0185—For transfer by the Controller from the Employment Development Department Contingent Fund, to the General Fund..... ~~(489,000)~~
(20,689,000)

Provisions:

1. Notwithstanding any other provision of law, the Controller shall transfer to the General Fund the unencumbered balance, as determined by the Director of Finance, in the Employment Development Department Contingent Fund as of June 30, 2010.

SEC. 483. Item 7100-011-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-011-0890—For support of Employment Development Department, payable from the Federal Trust Fund, for transfer to the Unemployment Administration Fund—Federal..... ~~(575,965,000)~~
(854,184,000)

SEC. 484. Item 7100-021-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-021-0890—For support of Employment Development Department, payable from the Federal Trust Fund, for transfer to the Consolidated Work Program Fund..... ~~(152,297,000)~~
(232,396,000)

SEC. 485. Item 7100-101-0588 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-101-0588—For local assistance, Employment Develop-	
ment Department, for Program 21—Tax collections and	
benefit payments, payable from the Unemployment	
Compensation Disability Fund.....	5,116,229,000
	5,131,282,000

Provisions:

1. Provision 1 of Item 7100-001-0588 also applies to this item.
2. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated pursuant to Section 3012 of the Unemployment Insurance Code.
3. Apart from the estimate of expenditures that the Employment Development Department provides to the Department of Finance on October 1 and April 20 of each year, the Department of Finance is authorized to approve requests for expenditure adjustments for this item in those amounts made necessary by changes in either workload or payments, any rule or regulation adopted as a result of the enactment of a federal or state law, the adoption of a federal regulation, or the following of a court decision during the 2009–10 fiscal year that are within or in excess of amounts appropriated in this act for that year. The Department of Finance shall approve or modify the request for change in expenditures within seven working days of receipt of the request. If the Department of Finance does not approve or modify the request, the Employment Development Department shall consider the assumptions and calculations approved as submitted. The Department of Finance shall notify the Legislature of any modifications to expenditures made pursuant to this provision.

SEC. 486. Item 7100-101-0869 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-101-0869—For local assistance under Workforce Invest-
ment Act (WIA), Employment Development Department,
Program 61-WIA Program, payable from the Consolidated
Work Program Fund..... 320,616,000
357,658,000

Provisions:

1. Provision 1 of Item 7100-001-0588 also applies to this item.

SEC. 487. Item 7100-101-0871 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-101-0871—For local assistance, Employment Development Department, for Program 21—Tax collections and benefit payments, payable from the Unemployment Fund—Federal..... 7,816,107,000
30,153,102,000

Provisions:

1. Funds appropriated in this item are in lieu of the amounts that would have otherwise been appropriated pursuant to Section 1521 of the Unemployment Insurance Code.
2. Provision 1 of Item 7100-001-0588 also applies to this item.
3. Provision 3 of Item 7100-101-0588 also applies to this item.

SEC. 488. Item 7100-101-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-101-0890—For local assistance, Employment Development Department, payable from the Federal Trust Fund, for transfer to the Consolidated Work Program Fund..... (320,616,000)
(357,658,000)

SEC. 489. Item 7100-101-0908 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-101-0908—For local assistance, Employment Development Department, for Program 21—Tax collections and benefit payments, payable from the School Employees Fund..... 93,024,000
165,703,000

Provisions:

1. Provision 1 of Item 7100-001-0588 also applies to this item.
2. Funds appropriated in this item are in lieu of the amounts that otherwise would have been appropriated for benefits pursuant to Section 822 of the Unemployment Insurance Code.
3. Provision 3 of Item 7100-101-0588 also applies to this item.

SEC. 490. Item 7100-111-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

7100-111-0890—For local assistance, Employment Development Department, payable from the Federal Trust Fund, for transfer to the Unemployment Fund—Federal..... (7,816,107,000)
(30,153,102,000)

SEC. 491. Item 7120-001-0890 of Section 2.00 of the Budget Act of 2009 is amended to read:

7120-001-0890—For support of the California Workforce Investment Board, payable from the Federal Trust Fund..... 3,030,000
3,320,000

Schedule:

- (1) 10-California Workforce Investment Program..... 3,280,000
3,570,000
- (2) Reimbursements..... -250,000

Provisions:

1. The Secretary of ~~the~~ Labor and Workforce Development ~~Agency~~, with the approvals of the California Workforce Investment Board and Department of Finance, and not sooner than 30 days after notification

to the Joint Legislative Budget Committee, is authorized to transfer funds appropriated in this item to the Employment Development Department, Consolidated Work Program Fund, Item 7100-001-0869, to facilitate the implementation and operation of the Workforce Investment Act Program.

SEC. 492. Item 7350-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

7350-001-0001—For support of Department of Industrial Relations.....	66,894,000
	26,794,000
Schedule:	
(1) 10-Self-Insurance Plans.....	3,858,000
	3,818,000
(2) 20-Mediation/Conciliation.....	2,458,000
(3) 30-Division of Workers' Compensation.....	170,008,000
(4) 36-Commission on Health and Safety and Workers' Compensation.....	3,341,000
(5) 40-Division of Occupational Safety and Health.....	107,919,000
	109,449,000
(6) 50-Division of Labor Standards Enforcement.....	50,402,000
	51,685,000
(7) 60-Division of Apprenticeship Standards.....	13,064,000
(8) 70-Division of Labor Statistics and Research.....	3,685,000
(9) 80-Claims, Wages, and Contingencies.....	1,182,000
(10) 94.01-Administration.....	34,942,000
(11) 94.02-Distributed Administration.....	-34,942,000
(13) Reimbursements.....	-2,343,000
(14) Reimbursements for Division of Workers' Compensation.....	-1,558,000

1	(15) Amount payable from the Farmworker	
2	Remedial Account (Item 7350-001-	
3	0023).....	-102,000
4	(16) Amount payable from the Cal-OSHA	
5	Targeted Inspection and Consultation	
6	Fund (Item 7350-001-0096).....	-9,785,000
7	(17) Amount payable from the Workers'	
8	Compensation Managed Care Fund	
9	(Item 7350-001-0132).....	-359,000
10	(18) Amount payable from the Industrial	
11	Relations Construction Industry Enforce-	
12	ment Fund (Item 7350-001-0216).....	-63,000
13	(19) Amount payable from the Workers'	
14	Compensation Administration Re-	
15	volving Fund (Item 7350-001-	
16	0223).....	-170,925,000
17	(20) Amount payable from the Asbestos	
18	Consultant Certification Account (Item	
19	7350-001-0368).....	-368,000
20	(21) Amount payable from the Asbestos	
21	Training Approval Account (Item 7350-	
22	001-0369).....	-134,000
23	(22) Amount payable from the Self-Insur-	
24	ance Plans Fund (Item 7350-001-	
25	0396).....	-3,818,000
26	(23) Amount payable from the Elevator	
27	Safety Account (Item 7350-001-	
28	0452).....	-21,283,000
29	(24) Amount payable from the Pressure	
30	Vessel Account (Item 7350-001-	
31	0453).....	-5,335,000
32	(25) Amount payable from the Garment	
33	Manufacturers Special Account (Item	
34	7350-001-0481).....	-500,000
35	(26) Amount payable from the Employment	
36	Training Fund (Item 7350-001-0514)....	-3,287,000
37	(27) Amount payable from the Uninsured	
38	Employers' Account, Uninsured Em-	
39	ployers Benefits Trust Fund (Item 7350-	
40	001-0571).....	-5,314,000

1	(28) Amount payable from the Federal	
2	Trust Fund (Item 7350-001-0890).....	-29,619,000
3	(29) Amount payable from the Industrial	
4	Relations Unpaid Wage Fund (Item	
5	7350-001-0913).....	-3,587,000
6	(30) Amount payable from the Industrial	
7	Relations Unpaid Wage Fund (Section	
8	96.6 of the Labor Code).....	-500,000
9	(31) Amount payable from the Electrician	
10	Certification Fund (Item 7350-001-	
11	3002).....	-2,698,000
12	(32) Amount payable from the Garment In-	
13	dustry Regulations Fund (Item 7350-	
14	001-3004).....	-2,962,000
15	(33) Amount payable from the Apprentice-	
16	ship Training Contribution Fund (Item	
17	7350-001-3022).....	-7,079,000
18	(34) Amount payable from the Workers'	
19	Occupational Safety and Health Educa-	
20	tion Fund (Item 7350-001-3030).....	-1,220,000
21	(35) Amount payable from the Workers'	
22	Compensation Return-to-Work Fund	
23	(Item 7350-001-3031).....	-499,000
24	(36) Amount payable from the Car Wash	
25	Worker Restitution Fund (Item 7350-	
26	001-3071).....	-80,000
27	(37) Amount payable from the Car Wash	
28	Worker Fund (Item 7350-001-3072).....	-202,000
29	(38) Amount payable from the Occupation-	
30	al Safety and Health Fund (Item 7350-	
31	001-3121).....	-15,403,000
32		-41,760,000
33	(39) Amount payable from the State Public	
34	Works Enforcement Fund (Item 7350-	
35	001-3150).....	-1,283,000
36	(40) Amount payable from the Labor En-	
37	forcement and Compliance Fund (Item	
38	7350-001-3152).....	-15,233,000

Provisions:

1. The Secretary of Labor and Workforce Development shall report to the Director of Finance and the Joint Legislative Budget Committee on the progress of the Underground Economy Enforcement Program and shall provide justification for its continuance by September 13, 2009.

SEC. 493. Item 7350-001-3121 of Section 2.00 of the Budget Act of 2009 is amended to read:

7350-001-3121—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Occupational Safety and Health Fund	15,403,000
	41,760,000

Provisions:

1. *Of the amount appropriated in this item, \$1,530,000 shall be used to conduct a targeted outreach campaign to reduce the incidence of heat-related illness in the California workplace. Funds shall be focused on direct outreach to workers identified by the Department of Industrial Relations as most at risk of suffering from heat-related illness and their employers, in order to educate them on how best to prevent heat-related illness, and to better inform them of their rights and responsibilities under the law. None of these funds shall be expended on television air time, and no more than 50 percent of these funds may be expended on the purchase of radio air time or other media. Any media utilized in this outreach campaign shall reference a toll-free hotline number to file a complaint or to receive information about employee and employer rights and responsibilities regarding safety and health. The department shall track the amount and cost of any radio air time purchased, number of calls, actions taken, and outcomes achieved and report to the Legislature by April 1, 2010, with the intent that the data collected will better inform the design of future outreach.*

SEC. 494. Item 7350-001-3150 is added to Section 2.00 of the Budget Act of 2009, to read:

7350-001-3150—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the State Public Works Enforcement Fund..... 1,283,000

SEC. 495. Item 7350-001-3152 is added to Section 2.00 of the Budget Act of 2009, to read:

7350-001-3152—For support of Department of Industrial Relations, for payment to Item 7350-001-0001, payable from the Labor Enforcement and Compliance Fund..... 15,233,000

SEC. 496. Item 7350-011-0001 is added to Section 2.00 of the Budget Act of 2009, to read:

7350-011-0001—For transfer by the Controller to the State Public Works Enforcement Fund..... (1,283,000)

Provisions:

1. The amount transferred in this item is a loan to the State Public Works Enforcement Fund. This loan shall be repaid no later than June 30, 2012, with interest calculated at the rate earned by the Pooled Money Investment Account at the time of transfer.

SEC. 497. Item 7350-012-0001 is added to Section 2.00 of the Budget Act of 2009, to read:

7350-012-0001—For transfer by the Controller to the Occupational Safety and Health Fund..... (14,506,000)

Provisions:

1. The amount transferred in this item is a loan to the Occupational Safety and Health Fund. This loan shall be repaid no later than June 30, 2010.

SEC. 498. Item 7980-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

7980-001-0001—For support of Student Aid Commission..... 12,623,000

1	Schedule:	
2	(1) 15-Financial Aid Grants Program.....	13,049,000
3	(1.5) 50-California Loan Program.....	514,000
4	(2) 80.01-Administration and Support Ser-	
5	vices.....	3,376,000
6	(3) 80.02-Distributed Administration and	
7	Support Services.....	-3,376,000
8	(4) Reimbursements.....	-296,000
9	(4.5) Amount payable from the Student	
10	Loan Operating Fund (Item 7980-001-	
11	0784).....	-514,000
12	(5) Amount payable from the Federal Trust	
13	Fund (Item 7980-001-0890).....	-130,000
14	Provisions:	
15	1. The funds appropriated in this item are available only	
16	for the Student Aid Commission's state operations	
17	activities.	
18	2. Of the funds appropriated in Schedule (1), up to	
19	\$369,000 is available for expenditure to support en-	
20	hancement of the Student Aid Commission's Grant	
21	Delivery System.	
22	3. Of the funds appropriated in Schedule (1), \$850,000	
23	is only available for the support of 7.0 auditor positions	
24	and 1.0 audit supervisor position for the purpose of	
25	conducting program compliance reviews for institu-	
26	tions participating in the Cal Grant Program under	
27	Chapter 1.7 (commencing with Section 69430) of Part	
28	42 of Division 5 of Title 3 of the Education Code and	
29	the Assumption Program of Loans for Education under	
30	Article 5 (commencing with Section 69612) of Chapter	
31	2 of Part 42 of Division 5 of Title 3 of the Education	
32	Code, and other specialized grant programs as deemed	
33	necessary by the Student Aid Commission, with the	
34	objective of auditing higher risk institutions once every	
35	three years. The audits shall emphasize verification of	
36	applicant eligibility, fund disbursement, and payment	
37	reconciliation. The Student Aid Commission commis-	
38	sion shall prioritize its review of institutions that have	
39	demonstrated noncompliance in prior audits. The	
40	commission may also conduct compliance reviews of	

the California Student Opportunity and Access Program under Article 4 (commencing with Section 69560) of Chapter 2 of Part 42 of Division 5 of Title 3 of the Education Code. The commission shall report to the Legislature and the ~~Governor~~ Department of Finance by September 30, 2009, on the institutions audited in the 2007–08 and 2008–09 fiscal years, the rate of noncompliance with each major program requirement, the amount of funding that was not expended in compliance with applicable requirements, the amount of funding repaid due to noncompliance, and the steps taken to address noncompliance.

4. (a) This item reflects \$514,000 payable from the Student Loan Operating Fund for the purpose of funding, on a limited-term basis, 6.0 positions in the Federal Policy and Programs Division. Those positions shall be continued until a sale or other authorized transaction is completed pursuant to Chapter 182 of the Statutes of 2007, which is anticipated to occur in the 2010–11 fiscal year.

SEC. 499. Item 7980-101-0784 is added to Section 2.00 of the Budget Act of 2009, to read:

7980-101-0784—For local assistance, Student Aid Commission, Cal Grant Program, for payment to Item 7980-101-0001, payable from the Student Loan Operating Fund..... 32,000,000

SEC. 500. Item 7980-490 is added to Section 2.00 of the Budget Act of 2009, to read:

7980-490—Reappropriation, Student Aid Commission. The balances of the appropriations provided in the following citations are reappropriated for the purposes specified in Provision 1 and shall be available for encumbrance or expenditure until June 30, 2010:

- (1) Item 7980-001-0001, Budget Act of 2007 (Chs. 171 and 172, Stats. 2007), as reappropriated by Item 7980-490, Budget Act of 2008 (Chs. 268 and 269, Stats. 2008)

1 *Provisions:*

2 1. *The funds reappropriated in this item are available*
 3 *for any expenses that may be necessary or convenient*
 4 *to further the intent of the sale or other authorized*
 5 *transaction of EdFund pursuant to Chapter 182 of the*
 6 *Statutes of 2007. These funds shall not be expended*
 7 *unless first approved by the Department of Finance.*

8
 9 *SEC. 501. Item 8260-001-0001 of Section 2.00 of the Budget*
 10 *Act of 2009 is amended to read:*

11		
12	8260-001-0001—For support of California Arts Council.....	1,116,000
13	Schedule:	
14	(1) 90-California Arts Council.....	3,222,000
15		3,247,000
16	(2) Reimbursements.....	-197,000
17	(3) Amount payable from the Graphic De-	
18	sign License Plate Account (Item 8260-	
19	001-0078).....	-874,000
20	(4) Amount payable from the Federal Trust	
21	Fund (Item 8260-001-0890).....	-1,035,000
22		-1,060,000
23		

24 *SEC. 502. Item 8260-001-0890 of Section 2.00 of the Budget*
 25 *Act of 2009 is amended to read:*

26		
27	8260-001-0890—For support of California Arts Council, for	
28	payment to Item 8260-001-0001, payable from the Federal	
29	Trust Fund.....	1,035,000
30		1,060,000
31		

32 *SEC. 503. Item 8260-101-0890 of Section 2.00 of the Budget*
 33 *Act of 2009 is amended to read:*

34		
35	8260-101-0890—For local assistance, California Arts Council,	
36	payable from the Federal Trust Fund.....	100,000
37		578,000
38		

39 *SEC. 504. Item 8380-001-0001 of Section 2.00 of the Budget*
 40 *Act of 2009 is amended to read:*

1	8380-001-0001—For support of Department of Personnel Ad-	
2	ministration.....	6,645,000
3	Schedule:	
4	(1) 30-Personnel Management.....	17,613,000
5		<i>18,131,000</i>
6	(2) 40.01-Administration.....	4,416,000
7	(3) 40.02-Distributed Administration.....	-4,416,000
8	(4) 54-Benefits Administration.....	36,964,000
9	(5) Reimbursements.....	-19,106,000
10		<i>-19,624,000</i>
11	(6) Amount payable from the Flexelect	
12	Benefit Fund (Item 8380-001-0821).....	-1,266,000
13	(7) Amount payable from the Deferred	
14	Compensation Plan Fund (Item 8380-	
15	001-0915).....	-15,144,000
16	(8) Amount payable from the Vision Care	
17	Program for State Annuitants Fund	
18	(Item 8380-001-8049).....	-8,784,000
19	(9) Amount payable from the Central Ser-	
20	vice Cost Recovery Fund (Item 8380-	
21	001-9740).....	-3,632,000
22	Provisions:	
23	1. The Department of Personnel Administration may use	
24	funds appropriated in this item to complete comprehen-	
25	sive salary surveys that include private and public	
26	employers, geographical data, and total compensation.	
27	The department shall provide to the appropriate fiscal	
28	and policy committees of each house of the Legislature	
29	and the Legislative Analyst, within 30 days of comple-	
30	tion, each completed salary survey report.	
31	2. Of the funds appropriated in this item, \$350,000 may	
32	be spent by the Department of Personnel Administra-	
33	tion to contract with one or more recruitment contrac-	
34	tors to locate and develop a pool of prospective health	
35	care professionals for various state departments that	
36	employ medical, mental health, or dental professionals.	
37	It is the intent of the Legislature that these contracts	
38	will be structured on a performance basis with pay-	
39	ments tied to the successful hiring of state staff. Should	
40	the Director of Finance, upon receiving a recommen-	

1 dation ~~of~~ *from* the Director of the Department of Per-
2 sonnel Administration, determine that it would be in
3 the interests of the state to expand the dollar amount
4 committed to this project, he or she may submit to the
5 Chairperson of the Joint Legislative Budget Committee
6 and the Legislative Analyst a report describing the
7 number of individuals who have been successfully
8 hired to permanent positions in affected departments
9 as a result of the recruitment contractors' work to date
10 and the anticipated benefits (including funds that af-
11 fected departments would revert to the State Treasury
12 due to decreased overtime and contracted personnel
13 costs) that would result from an expansion of the funds
14 committed to this project. Not less than 30 days after
15 submitting the report described above, the Director of
16 Finance may augment this item by an amount not ex-
17 ceeding \$1,500,000 in order to increase health care
18 personnel recruitment efforts.

- 19 3. The Department of General Services, with the consent
20 of the Department of Personnel Administration and
21 the State Personnel Board, may enter into a lease,
22 lease-purchase agreement, or lease with an option to
23 purchase for a build-to-suit facility for the ~~co-location~~
24 *colocation* of the Department of Personnel Adminis-
25 tration and the State Personnel Board in the Sacramen-
26 to area, subject to Department of Finance approval of
27 the terms and conditions of the agreement. At least 30
28 days prior to entering into any agreement, the Depart-
29 ment of General Services shall notify the chairpersons
30 of the committees in each house of the Legislature that
31 consider appropriations and the Joint Legislative
32 Budget Committee of the terms and conditions of the
33 agreement. If the Joint Legislative Budget Committee
34 does not express any opposition, the Department of
35 General Services may proceed with the agreement after
36 30 days from when the Department of General Ser-
37 vices gave notice to the chairpersons.

38
39 *SEC. 505. Item 8380-004-0001 of Section 2.00 of the Budget*
40 *Act of 2009 is amended to read:*

8380-004-0001—For support of Department of Personnel Ad-
 ministration..... 15,734,000
 1,088,000

Schedule:

(1) 54-Benefits Administration..... 15,734,000
 1,088,000

Provisions:

1. The funds appropriated in this item are available for expenditure until January 1, 2012—~~per, pursuant to~~ Section 22877 of the Government Code.
2. *No funds appropriated in this item or in any other item of this act may be used or expended to fund the Rural Health Care Equity Program described in Section 22877 of the Government Code, except that funds may be used or expended to fund the Rural Health Care Equity Program for members of State Bargaining Unit 5. This provision implements the Legislature's decision, consistent with subdivision (b) of Section 3517.6 of, and Sections 3517.61 and 3517.7 of, the Government Code, and other applicable provisions of law, not to approve the expenditure of funds for the Rural Health Care Equity Program for any state employees other than those employees in State Bargaining Unit 5.*

SEC. 506. Item 8550-001-0191 of Section 2.00 of the Budget Act of 2009 is repealed.

~~8550-001-0191—For support of California Horse Racing Board,
 payable from the Fair and Exposition Fund..... 10,418,000~~

~~Schedule:~~

~~(1) 10-California Horse Racing Board..... 11,833,000
 (2) Amount payable from the Racetrack
 Security Account, Special Deposit Fund
 (Item 8550-001-0942)..... -1,415,000~~

SEC. 507. Item 8550-001-0942 of Section 2.00 of the Budget Act of 2009 is repealed.

1 ~~8550-001-0942—For support of California Horse Racing Board,~~
 2 ~~for payment to Item 8550-001-0191, payable from the~~
 3 ~~Racetrack Security Account, Special Deposit Fund.....~~ 1,415,000
 4

5 *SEC. 508. Item 8550-001-3153 is added to Section 2.00 of the*
 6 *Budget Act of 2009, to read:*

7
 8 *8550-001-3153—For support of California Horse Racing Board,*
 9 *payable from the Horse Racing Fund.....* 11,833,000

10 *Schedule:*

11 *(1) 10-California Horse Racing Board.....* 11,833,000

12 *Provisions:*

13 *1. Pursuant to Section 19616.51 of the Business and*
 14 *Professions Code, all racing associations and fairs*
 15 *including all breeds of racing shall remit a license fee*
 16 *to the California Horse Racing Board to be deposited*
 17 *in the Horse Racing Fund, which is hereby established.*
 18 *For the 2009–10 fiscal year, each racing association*
 19 *and fair shall pay a proportionate share of*
 20 *\$11,833,000 in the form of a license fee in accordance*
 21 *with a formula developed by the board.*

22
 23 *SEC. 509. Item 8550-011-0942 of Section 2.00 of the Budget*
 24 *Act of 2009 is repealed.*

25
 26 ~~8550-011-0942—Notwithstanding paragraph (1) of subdivision~~
 27 ~~(b) of Section 19641 of the Business and Professions Code,~~
 28 ~~there is hereby transferred to the General Fund the unen-~~
 29 ~~cumbered balance of the Racetrack Security Account,~~
 30 ~~Special Deposit Fund, as of June 30, 2010.....~~ (300,000)
 31

32 *SEC. 510. Item 8550-011-3153 is added to Section 2.00 of the*
 33 *Budget Act of 2009, to read:*

8550-011-3153—Notwithstanding any other provision of law,
but subject to Section 19641 of the Business and Profes-
sions Code, any redistributable money in a parimutuel pool
on races conducted prior to July 1, 2009, subject to pay-
ment to a claimant, but not successfully claimed within the
claiming period, that is paid to the California Horse Racing
Board pursuant to Section 19641 of the Business and
Professions Code shall be deposited into the Horse Racing
Fund for the 2009–10 fiscal year, the first \$300,000 of
which shall be transferred to the General Fund (300,000)

SEC. 511. Item 8570-001-0001 of Section 2.00 of the Budget
Act of 2009 is amended to read:

8570-001-0001—For support of Department of Food and
Agriculture..... 80,810,000
Schedule:
(1) 11-Agricultural Plant and Animal
Health; Pest Prevention; Food Safety
Services..... ~~116,049,000~~
117,049,000
(2) 21-Marketing, Commodities, and Agri-
cultural Services..... 15,685,000
(3) 31-Assistance to Fairs and County
Agricultural Activities..... 3,239,000
(4) 41.01-Executive, Management, and
Administrative Services..... 19,151,000
(5) 41.02-Distributed Executive, Manage-
ment, and Administrative Services..... -17,987,000
(6) 51-General Agricultural Activities..... 26,814,000
(7) Reimbursements..... -9,350,000
(8) Amount payable from the Motor Vehicle
Account, State Transportation Fund
(Item 8570-001-0044)..... -6,218,000
(9) Amount payable from the Department
of Agriculture Account, Department
of Food and Agriculture Fund (Item
8570-001-0111)..... -15,954,000
(10) Amount payable from the Fair and Ex-
position Fund (Item 8570-001-0191).... -3,916,000

- | | | |
|----|---|------------------------|
| 1 | (11) Amount payable from the Harbors and | |
| 2 | Watercraft Revolving Fund (Item 8570- | |
| 3 | 001-0516)..... | -3,508,000 |
| 4 | (12) Amount payable from the <i>Department</i> | |
| 5 | <i>of Agriculture Building Fund</i> (Item | |
| 6 | 8570-001-0601)..... | -3,369,000 |
| 7 | (13) Amount payable from the Federal | |
| 8 | Trust Fund (Item 8570-001-0890)..... | -38,799,000 |
| 9 | | -39,799,000 |
| 10 | (14) Amount payable from the Antiterrorism | |
| 11 | Fund (Item 8570-001-3034)..... | -547,000 |
| 12 | (15) Amount payable from the Satellite | |
| 13 | Wagering Account (Item 8570-012- | |
| 14 | 0192)..... | -480,000 |
| 15 | Provisions: | |
| 16 | 1. The Secretary of Food and Agriculture shall furnish | |
| 17 | annual reports on all expenditures from all fund | |
| 18 | sources for emergency detection and eradication activ- | |
| 19 | ities relating to agricultural plant or animal pests or | |
| 20 | diseases as defined by (a) no other program funds are | |
| 21 | available to be used to detect or eradicate such pest or | |
| 22 | disease; and (b) the pest or disease is not considered | |
| 23 | established in California and the pest or disease infests | |
| 24 | or infects plants or animals of commercial or noncom- | |
| 25 | mercial agriculture, ornamental horticultural, or habitat | |
| 26 | of significance, to the Director of Finance and the | |
| 27 | Chairperson of the Joint Legislative Budget Commit- | |
| 28 | tee. The report shall specify the amount expended by | |
| 29 | funding source, the activities performed, the pest or | |
| 30 | disease, the location where the pest was detected, the | |
| 31 | location where the eradication efforts were performed, | |
| 32 | and the animal or plant affected for each emergency | |
| 33 | detection or eradication. | |
| 34 | 2. Notwithstanding any other provision of law, | |
| 35 | \$1,500,000 of the amount appropriated in Schedule | |
| 36 | (1) shall be made available for use by the Department | |
| 37 | of Food and Agriculture for the Weed Management | |
| 38 | Area Program. | |
| 39 | 3. On or before January 10, 2011, the Department of | |
| 40 | Food and Agriculture shall submit to the office of the | |

State Chief Information Officer and the Joint Legislative Budget Committee, a report identifying the workload levels for positions supporting the information technology projects that are part of the Emerging Threats budget augmentation.

4. Notwithstanding any other provision of law, \$343,415 of the funds appropriated in this item shall be made available for the implementation of the Global Warming Solutions Act of 2006 (*Ch. 488, Stats. 2006*). Funding made available in this provision to implement the act shall not result in a reduction of funding for county agricultural commissioners.

Of the amounts appropriated in this ~~section~~ *item* to implement the Global Warming Solutions Act of 2006, expenditures shall only be used to develop improved greenhouse gas emission reduction methods that are the maximum technology feasible and cost-effective while maintaining a viable food production system. Such methods shall be demonstrated as part of an agricultural system and may include, but are not limited to, energy efficiency improvements, manure management, animal husbandry practices, methane capture, conservation tillage practices, agricultural biomass recycling and reuse, water conservation and improved irrigation efficiency, increase integrated pest management activities, and improved cropping system.

SEC. 512. Item 8570-001-0111 of Section 2.00 of the Budget Act of 2009 is amended to read:

8570-001-0111—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Department of Agriculture Account, Department of Food and Agriculture Fund..... 15,954,000

Provisions:

1. The amount appropriated in this item includes revenues derived from the assessment of fines and penalties imposed as specified in Section 13332.18 of the Government Code.

8570-001-0890—For support of Department of Food and Agriculture, for payment to Item 8570-001-0001, payable from the Federal Trust Fund.....	38,799,000
	<i>39,799,000</i>

8660-001-0462—For support of Public Utilities Commission, payable from the Public Utilities Commission Utilities Reimbursement Account.....	79,348,000
	82,309,000

(1) 10-Regulation of Utilities.....	126,627,000 129,588,000
(2) 15-Universal Service Telephone Programs.....	638,749,000
(3) 20-Regulation of Transportation.....	21,711,000 21,711,000
(4) 30.01-Administration.....	28,507,000
(5) 30.02-Distributed Administration.....	-28,507,000
(6) Reimbursements.....	-18,331,000
(6.5) Reimbursement to the Division of Ratepayer Advocates.....	-4,035,000
(7) Amount payable from the State Highway Account, State Transportation Fund (Item 8660-001-0042).....	-3,762,000
(8) Amount payable from the Public Transportation Account, State Transportation Fund (Item 8660-001-0046).....	-3,907,000
(9) Amount payable from the Transportation Rate Fund (Item 8660-001-0412)....	-2,715,000
(10) Amount payable from the Public Utilities Commission Transportation Reimbursement Account (Item 8660-001-0461).....	-11,327,000

1	(11) Amount payable from California High-	
2	Cost Fund-A Administrative Commit-	
3	tee Fund (Item 8660-001-0464).....	-64,795,000
4	(12) Amount payable from California High-	
5	Cost Fund-B Administrative Commit-	
6	tee Fund (Item 8660-001-0470).....	-51,565,000
7	(13) Amount payable from Universal	
8	Lifeline Telephone Service Trust	
9	Administrative Committee Fund	
10	(Item 8660-001-0471).....	-329,558,000
11	(14) Amount payable from Deaf and Dis-	
12	abled Telecommunications Program	
13	Administrative Committee Fund (Item	
14	8660-001-0483).....	-68,953,000
15	(15) Amount payable from Payphone Ser-	
16	vice Providers Committee Fund (Item	
17	8660-001-0491).....	-149,000
18	(16) Amount payable from California	
19	Teleconnect Fund Administrative	
20	Committee Fund (Item 8660-001-	
21	0493).....	-73,508,000
22	(17) Amount payable from the Federal Trust	
23	Fund (Item 8660-001-0890).....	-1,284,000
24	(18) Amount payable from the Public Util-	
25	ities Commission Ratepayer Advocate	
26	Account (Item 8660-001-3089).....	-23,629,000
27	(19) Amount payable from the California	
28	Advanced Services Fund (Item 8660-	
29	001-3141).....	-50,221,000
30	Provisions:	
31	1. The Public Utilities Commission shall require any	
32	public utility requesting a merger to reimburse the	
33	commission for those necessary expenses that the	
34	commission incurs in its consideration of the proposed	
35	merger.	
36	2. <i>The Public Utilities Commission shall not directly</i>	
37	<i>engage in workforce education and training curricu-</i>	
38	<i>lum development as part of the commission's energy</i>	
39	<i>efficiency programs.</i>	
40		

SEC. 515. Item 8855-011-0001 is added to Section 2.00 of the Budget Act of 2009, to read:

8855-011-0001—For transfer by the Controller to the State Audit Fund..... 1,600,000

Provisions:

1. The amount transferred in this item is a loan to the State Audit Fund. This loan shall be repaid not later than June 30, 2010. It is the intent of the Legislature that the amount transferred in this item be used to address costs associated with the Bureau of State Audits' American Recovery and Reinvestment Act (ARRA) (P.L. 111-5) workload, including preparedness work and early internal control testing of ARRA programs.

SEC. 516. Item 8860-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

8860-001-0001—For support of Department of Finance..... 19,423,000

Schedule:

- (1) 10-Annual Financial Plan..... 22,874,000
- (2) 15-Financial Information System for California (FI\$Cal) Project Support..... 3,414,000
- (3) 20-Program and Information System Assessments..... 14,720,000
- (4) 30-Supportive Data..... 13,308,000
- (4.5) 35-American Recovery and Reinvestment Act Oversight..... 4,100,000
- (5) 40.01-Administration..... 6,263,000
- (6) 40.02-Distributed Administration..... -6,263,000
- (7) Reimbursements..... -21,181,000
- -25,281,000
- (8) Amount payable from Unallocated Special Funds (Item 8860-011-0494).... -594,000
- (9) Amount payable from Unallocated Bond Funds—Select (Item 8860-011-0797).... -130,000
- (10) Amount payable from Other Unallocated Nongovernmental Cost Funds (Item 8860-011-0988)..... -355,000

- 1 (11) Amount payable from Local Streets and
2 Road Improvement, Congestion Relief,
3 and Traffic Safety Account of 2006,
4 Highway Safety, Traffic Reduction, Air
5 Quality, and Port Security Fund of 2006
6 (Item 8860-001-6065)..... -111,000
7 (12) Amount payable from Central Service
8 Cost Recovery Fund (Item 8860-001-
9 9740)..... -12,522,000
10 Provisions:
11 1. The funds appropriated in this item for CALSTARS
12 shall be transferred by the Controller, upon order of
13 the Director of Finance, or made available by the De-
14 partment of Finance as a reimbursement, to other items
15 and departments for CALSTARS-related activities by
16 the Department of Finance.
17 2. The funds appropriated in this act for purposes of
18 CALSTARS-related data-processing costs may be
19 transferred between any items in this act by the Con-
20 troller upon order of the Director of Finance. Any
21 funds so transferred shall be used only for support of
22 CALSTARS-related data-processing costs incurred.
23 3. Notwithstanding any other provision of law, the Direc-
24 tor of Finance may authorize a loan from the General
25 Fund to the Department of Finance for the purpose of
26 meeting operational cashflow obligations for the
27 2009–10 fiscal year. The loan shall not exceed the es-
28 timated amount of uncollected reimbursements for the
29 final quarter of the fiscal year.
30 4. From the funds appropriated in Schedule (3) for the
31 purpose of evaluating and continuing development
32 and enhancement of the Governor’s Budget Presenta-
33 tion System (GBPS), the following provisions apply:
34 (a) From time to time, but no later than December 1,
35 2009, the Department of Finance shall update the
36 Legislature on anticipated changes to the GBPS.
37 In addition, the Department of Finance shall (1)
38 no later than the approximate same time the
39 Governor’s Budget is formally presented in elec-
40 tronic or any other Web-based form, provide

1 printed and bound hard copies of the Governor's
2 Budget and Governor's Budget Summary as fol-
3 lows: to the Legislative Analyst's Office—45
4 copies, the Office of the Legislative Counsel—
5 ~~six~~ *Counsel*—6 copies, offices of the Members of
6 the Legislature—120 copies, the Rules Commit-
7 tees of the Assembly and Senate—5 copies each,
8 and the fiscal committees of the Legislature—60
9 copies, and (2) no later than four weeks after the
10 Governor's Budget is formally presented in elec-
11 tronic or any other Web-based form, 131 printed
12 and bound hard copies of the Governor's Budget
13 and Governor's Budget Summary shall be provid-
14 ed as follows: ~~two~~ 2 copies to the State Library,
15 to ensure that the State Librarian maintains at least
16 one public copy and one for the permanent re-
17 search collections, and 129 copies: one copy to
18 each depository public library in the state. Addi-
19 tional copies, either bound or unbound, shall be
20 available for purchase by the public based on the
21 cost of producing the documents requested. When-
22 ever the Department of Finance submits to
23 the Legislature changes to the Governor's Budget
24 or to the Budget Bill, these requests shall be pro-
25 vided in hard copy form to the Legislature includ-
26 ing the appropriate staff of the fiscal committees
27 and the Legislative Analyst's Office. Whenever
28 the Department of Finance releases a document
29 summarizing changes proposed for the Governor's
30 Budget or to the Budget Bill, the Department of
31 Finance shall provide the summaries in hard copy
32 form to the Legislature including the appropriate
33 staff of the fiscal committees and the Legislative
34 Analyst's Office.

- 35 (b) Notwithstanding any other provision of law, the
36 Department of Finance may amend its existing
37 contract with the Web development firm to aug-
38 ment and continue consulting services until June
39 30, 2010, for the purpose of providing continuity
40 of services.

6. *It is the intent of the Legislature that the \$4,100,000 appropriated to the Department of Finance in Schedule (4.5) be used, subject to the provisions of Section 8.55, to address costs of the state's American Recovery and Reinvestment Act (ARRA) (P.L. 111-5) coordinating task force, the Inspector General appointed by the Governor, and the efforts of the Office of State Audits and Evaluations (OSAE) to assist the Inspector General appointed by the Governor and to assist departments with ARRA compliance. It is the intent of the Legislature that new staff hired to assist the Inspector General be very limited in number, and that these staff appointments all be limited-term in nature. It is the intent of the Legislature that approximately \$500,000 of the \$4,100,000 appropriated in Schedule (4.5) be used to support OSAE activities described above. It is the intent of the Legislature that approximately \$500,000 of the \$4,100,000 appropriated in Schedule (4.5) be used to support activities of the Inspector General. It is the intent of the Legislature that \$200,000 of the \$4,100,000 appropriated in Schedule (4.5) be used to support operating expenses, equipment, and travel costs of the activities described in this provision and that no additional travel expenses be requested for these activities in the 2009–10 fiscal year in any future request for funds described in Section 8.55. It is the intent of the Legislature that \$400,000 of the \$4,100,000 appropriated in Schedule (4.5) be used to support activities of the ARRA coordinating task force. It is the intent of the Legislature that \$2,500,000 of the \$4,100,000 appropriated in Schedule (4.5) be available to the task force solely to acquire, deploy, and operate the information technology necessary for the state to meet the data collection, tracking, and reporting requirements of ARRA, and to provide the public with full transparency of the uses of ARRA funds in California through a readily accessible and comprehensive Internet Web site.*

SEC. 517. Item 8885-295-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

8885-295-0001—For local assistance for reimbursement, in accordance with the provisions of Section 6 of Article XIII B of the California Constitution or Section 17561 of the Government Code, of the costs of any new program or increased level of service of an existing program mandated by statute or executive order, for disbursement by the Controller for claims for costs incurred during the specified periods..... 142,000,000
76,420,000

Schedule:

- (1) For payment of the following mandate claims for costs incurred in the 2004–05 through 2007–08 fiscal years..... 134,000,000
76,420,000
 - (a) ~~Crime–Victim–Rights (Ch. 411, Stats. 1995) (CSM-96-358-01)~~
 - (b) Threats Against Peace Officers (Ch. 1249, Stats. 1992; Ch. 666, Stats. 1995) (CSM-96-365-02)
 - (c) Custody of Minors–Child Abduction and Recovery (Ch. 1399, Stats. 1976; Ch. 162, Stats. 1992; and Ch. 988, Stats. 1996) (CSM-4237)
 - (d) ~~Stolen Vehicle Notification (Ch. 337, Stats. 1990) (CSM-4403)~~
 - (e) Absentee Ballots (Ch. 77, Stats. 1978) (CSM-3713)
 - (f) Permanent Absent Voters (Ch. 1422, Stats. 1982) (CSM-4358)
 - (g) Voter Registration Procedures (Ch. 704, Stats. 1975) (04-LM-04)
 - (h) Absentee Ballots–Tabulation by Precinct (Ch. 697, Stats. 1999) (00-TC-08)
 - (i) Brendon Maguire Act (Ch. 391, Stats. 1988) (CSM-4357)
 - (j) Medi-Cal Beneficiary Death Notices (Chs. 102 and 1163, Stats. 1981) (CSM-4032)

- 1 (k) ~~Pacific Beach Safety (Ch. 961, Stats. 1992)~~
- 2 ~~(CSM-4432)~~
- 3 (f) ~~Perinatal Services (Ch. 1603, Stats. 1990) (CSM-~~
- 4 ~~4397)~~
- 5 (m) ~~AIDS/Search Warrant (Ch. 1088, Stats. 1988)~~
- 6 ~~(CSM-4392)~~
- 7 (n) ~~Mentally Retarded Defendants Representation~~
- 8 ~~(Ch. 1253, Stats. 1980) (04-LM-12)~~
- 9 (o) ~~Judicial Proceedings (Ch. 644, Stats. 1980) (CSM-~~
- 10 ~~4366)~~
- 11 (p) ~~Conservatorship: Developmentally Disabled~~
- 12 ~~Adults (Ch. 1304, Stats. 1980) (04-LM-13)~~
- 13 (q) ~~Developmentally Disabled Attorneys' Services~~
- 14 ~~(Ch. 694, Stats. 1975) (04-LM-03)~~
- 15 (r) ~~Coroners Costs (Ch. 498, Stats. 1977) (04-LM-~~
- 16 ~~07)~~
- 17 (s) ~~Not Guilty by Reason of Insanity (Ch. 1114, Stats.~~
- 18 ~~1979) (CSM-2753)~~
- 19 (t) ~~Mentally Disordered Offenders' Extended Com-~~
- 20 ~~mitments Proceedings (Ch. 435, Stats. 1991) (98-~~
- 21 ~~TC-09)~~
- 22 (u) ~~Sexually Violent Predators (Chs. 762 and 763,~~
- 23 ~~Stats. 1995) (CSM-4509)~~
- 24 (v) ~~Mentally Disordered Sex Offenders' Recommit-~~
- 25 ~~ments (Ch. 1036, Stats. 1978) (04-LM-09)~~
- 26 (w) ~~Domestic Violence Treatment Services (Ch. 183,~~
- 27 ~~Stats. 1992) (CSM-96-281-01)~~
- 28 (x) ~~Police Officer's Cancer Presumption (Ch. 1171,~~
- 29 ~~Stats. 1989) (CSM-4416)~~
- 30 (y) ~~Firefighter's Cancer Presumption (Ch. 1568, Stats.~~
- 31 ~~1982) (CSM-4081)~~
- 32 (z) ~~Domestic Violence Arrest Policies (Ch. 246, Stats.~~
- 33 ~~1995) (CSM-96-362-02)~~
- 34 (aa) ~~Animal Adoption (Ch. 752, Stats. 1998) (98-TC-~~
- 35 ~~11)~~
- 36 (bb) ~~Unitary Countywide Tax Rates (Ch. 921, Stats.~~
- 37 ~~1987) (CSM-4355 and CSM-4317)~~
- 38 (cc) ~~Senior Citizens Property Tax Deferral (Ch. 1242,~~
- 39 ~~Stats. 1977) (CSM-4359)~~

- 1 (dd) Allocation of Property Tax Revenues (Ch. 697,
- 2 Stats. 1992) (CSM-4448)
- 3 (ee) ~~Photographic Record of Evidence (Ch. 875, Stats.~~
- 4 ~~1985) (98-TC-07)~~
- 5 (ff) Rape Victim Counseling (Ch. 999, Stats. 1991)
- 6 (CSM-4426)
- 7 (gg) Health Benefits for Survivors of Peace Officers
- 8 and Firefighters (Ch. 1120, Stats. 1996) (97-TC-
- 9 25)
- 10 (hh) ~~Post Mortem Examinations (Ch. 284, Stats. 2000)~~
- 11 ~~(00-TC-18)~~
- 12 (ii) ~~False Reports of Police Misconduct (Ch. 590,~~
- 13 ~~Stats. 1995) (00-TC-26)~~
- 14 (jj) Crime Victim's Domestic Violence Incident Re-
- 15 ports (Ch. 1022, Stats. 1999) (99-TC-08)
- 16 (kk) Peace Officer Personnel Records: Unfounded
- 17 Complaints and Discovery (Ch. 630, Stats. 1978;
- 18 Ch. 741, Stats. 1994) (00-TC-24)
- 19 (ll) Domestic Violence Arrests and Victims Assis-
- 20 tance (Chs. 698, 701, and 703, Stats. 1998) (98-
- 21 TC-14)
- 22 (mm) ~~Post Conviction: DNA Court Proceedings (Ch.~~
- 23 ~~943, Stats. 2001) (00-TC-21, 01-TC-08)~~
- 24 (nn) ~~DNA Database and Amendment to Post Mortem~~
- 25 ~~Examinations: Unidentified Bodies (Ch. 822,~~
- 26 ~~Stats. 2000; Ch. 467, Stats. 2001) (00-TC-27; 02-~~
- 27 ~~TC-39)~~
- 28 (oo) ~~Handicapped and Disabled Students II (Ch. 1128,~~
- 29 ~~Stats. 1994; Ch. 654, Stats. 1996) (02-TC-40; 02-~~
- 30 ~~TC-49)~~
- 31 (pp) ~~Costs for AB 3632 mandates: Services to Handi-~~
- 32 ~~capped Students (Ch. 1747, Stats. 1984) (CSM-~~
- 33 ~~4282) and Seriously Emotionally Disturbed~~
- 34 ~~Pupils (Ch. 654, Stats. 1996) (97-TC-05)~~
- 35 (qq) ~~Binding Arbitration (Ch. 906, Stats. 2000) (01-~~
- 36 ~~TC-07)~~
- 37 (rr) ~~Firearm Hearings for Discharged Inpatients (Ch.~~
- 38 ~~578, Stats. 1999)~~

1	(2) For payment of mandate claims for the	
2	2005–06, 2006–07, and 2007–08 fiscal	
3	years for the Public Safety Officers	
4	Procedural Bill of Rights Act (Ch. 675,	
5	Stats. 1990) (CSM-4499).....	8,000,000
6		0
7	(3) Pursuant to the provisions of Section	
8	17581 of the Government Code, the	
9	mandates identified in the following	
10	schedule are specifically identified by	
11	the Legislature for suspension during	
12	the 2009–10 fiscal year.....	0
13	(a) Adult Felony Restitution (Ch. 1123, Stats. 1977)	
14	(04-LM-08)	
15	(b) AIDS/Search Warrant (Ch. 1088, Stats. 1988)	
16	(CSM-4392)	
17	(c) Animal Adoption (Ch. 752, Stats. 1998) (04-PGA-	
18	01, 98-TC-11)	
19	(d) Binding Arbitration (Ch. 906, Stats. 2000) (01-	
20	TC-07)	
21	(e) Conservatorship: Developmentally Disabled	
22	Adults (Ch. 1304, Stats. 1980) (04-LM-13)	
23	(f) Coroners Costs (Ch. 498, Stats. 1977) (04-LM-	
24	07)	
25	(g) Crime Victims Rights (Ch. 411, Stats. 1995)	
26	(CSM-96-358-01)	
27	(h) Deaf Teletype Equipment (Ch. 1032, Stats. 1980)	
28	(04-LM-11)	
29	(i) Developmentally Disabled Attorneys' Service (Ch.	
30	694, Stats. 1975) (04-LM-03)	
31	(j) DNA Database and Amendment to Post Mortem	
32	Examinations: Unidentified Bodies (Ch. 822,	
33	Stats. 2000; Ch. 467, Stats. 2001) (00-TC-27; 02-	
34	TC-39)	
35	(k) Domestic Violence Information (Ch. 1609, Stats.	
36	1984) (CSM-4222)	
37	(l) Elder Abuse, Law Enforcement Training (Ch. 444,	
38	Stats. 1997) (98-TC-12)	
39	(m) Extended Commitment, Youth Authority (Ch. 267,	
40	Stats. 1998) (98-TC-13)	

- 1 (n) *False Reports of Police Misconduct* (Ch. 590,
- 2 *Stats. 1995*) (00-TC-26)
- 3 (o) *Filipino Employee Surveys* (Ch. 845, *Stats. 1978*)
- 4 (*CSM-2142*)
- 5 (p) *Fire Safety Inspections of Care Facilities* (Ch.
- 6 *993, Stats. 1989*) (01-TC-16)
- 7 (q) *Firearm Hearings for Discharged Inpatients* (Chs.
- 8 *578, Stats. 1999*) (99-TC-11)
- 9 (r) *Grand Jury Proceedings* (Ch. 1170, *Stats. 1996*)
- 10 (*98-TC-27*)
- 11 (s) *Guardianship/Conservatorship Filings* (Ch. 1357,
- 12 *Stats. 1976*) (04-LM-15)
- 13 (t) *Handicapped Voter Access Information* (Ch. 494,
- 14 *Stats. 1979*) (*CSM-4363*)
- 15 (u) *Inmate AIDS Testing* (Ch. 1597, *Stats. 1988*)
- 16 (*CSM-4369*)
- 17 (v) *Judicial Proceedings* (Ch. 644, *Stats. 1980*)
- 18 (*CSM-4366*)
- 19 (w) *Law Enforcement Sexual Harassment Training*
- 20 (Ch. 126, *Stats. 1993*) (97-TC-07)
- 21 (x) *Local Coastal Plans* (Ch. 1330, *Stats. 1976*)
- 22 (*CSM-4431*)
- 23 (z) *Mentally Disordered Offenders' Treatment as a*
- 24 *Condition of Parole* (Ch. 228, *Stats. 1989*; Ch.
- 25 *706, Stats. 1994*) (00-TC-28, 05-TC-06)
- 26 (aa) *Mentally Disordered Offenders' Extended Com-*
- 27 *mitments Proceedings* (Ch. 435, *Stats. 1991*) (98-
- 28 *TC-09*)
- 29 (bb) *Mentally Disordered Sex Offenders' Recommit-*
- 30 *ments* (Ch. 1036, *Stats. 1978*) (04-LM-09)
- 31 (cc) *Mentally Retarded Defendants Representation*
- 32 (Ch. 1253, *Stats. 1980*) (04-LM-12)
- 33 (dd) *Missing Persons Report* (Ch. 1456, *Stats. 1988*;
- 34 *Ch. 59, Stats. 1993*) (*CSM-4255, CSM-4484, and*
- 35 *CSM-4368*)
- 36 (ee) *Not Guilty by Reason of Insanity* (Ch. 1114, *Stats.*
- 37 *1979*) (*CSM-2753*)
- 38 (ff) *Pacific Beach Safety* (Ch. 961, *Stats. 1992*) (*CSM-*
- 39 *4432*)

- 1 (gg) *Perinatal Services* (Ch. 1603, Stats. 1990) (CSM-
2 4397)
- 3 (hh) *Personal Alarm Devices* (8 Cal. Code Regs.
4 3401(c)) (CSM-4087)
- 5 (ii) *Photographic Record of Evidence* (Ch. 875, Stats.
6 1985) (98-TC-07)
- 7 (jj) *Pocket Masks* (Ch. 1334, Stats. 1987) (CSM-4291)
- 8 (kk) *Post Conviction: DNA Court Proceedings* (Ch.
9 943, Stats. 2001) (00-TC-21, 01-TC-08)
- 10 (ll) *Post Mortem Examinations* (Ch. 284, Stats. 2000)
11 (00-TC-18)
- 12 (mm) *Prisoner Parental Rights* (Ch. 820, Stats. 1991)
13 (CSM-4427)
- 14 (nn) *Senior Citizens Property Tax Deferral* (Ch. 1242,
15 Stats. 1977) (CSM-4359)
- 16 (oo) *Sex Crime Confidentiality* (Ch. 502, Stats. 1992;
17 Ch. 36, Stats. 1994, 1st Ex. Sess.) (98-TC-21)
- 18 (pp) *Sex Offenders: Disclosure by Law Enforcement*
19 *Officers* (Chs. 908 and 909, Stats. 1996) (97-TC-
20 15)
- 21 (rr) *SIDS Autopsies* (Ch. 955, Stats. 1989) (CSM-
22 4393)
- 23 (ss) *SIDS Contacts by Local Health Officers* (Ch. 268,
24 Stats. 1991) (CSM-4424)
- 25 (tt) *SIDS Notices* (Ch. 453, Stats. 1974) (04-LM-01)
- 26 (uu) *SIDS Training for Firefighters* (Ch. 1111, Stats.
27 1989) (CSM-4412)
- 28 (vv) *Stolen Vehicle Notification* (Ch. 337, Stats. 1990)
29 (CSM-4403)
- 30 (ww) *Structural and Wildland Firefighter Safety*
31 *Clothing and Equipment* (8 Cal. Code Regs.
32 3401 to 3410, incl.) (CSM-4261 to CSM-4281)
- 33 (xx) *Substandard Housing* (Ch. 238, Stats. 1974)
34 (CSM-4303)
- 35 (yy) *Very High Fire Hazard Severity Zones* (Ch. 1188,
36 Stats. 1992) (97-TC-13)
- 37 (zz) *Victims Statements-Minors* (Ch. 332, Stats. 1981)
38 (04-LM-14)
- 39 (aaa) *Racial Profiling: Law Enforcement Training*
40 (Ch. 684, Stats. 2000) (01-TC-01)

Provisions:

1. Allocations of funds provided in this item to the appropriate local entities shall be made by the Controller in accordance with the provisions of each statute or executive order that mandates the reimbursement of the costs, and shall be audited to verify the actual amount of the mandated costs in accordance with subdivision (d) of Section 17561 of the Government Code. Audit adjustments to prior-year claims may be paid from this item. The funds appropriated in this item shall be allocated only for the payment of claims as required by Chapter 4 (commencing with Section 17550) of Part 7 of Division 4 of Title 2 of the Government Code, and that payment shall be made pursuant to Article 5 (commencing with Section 17615) of that chapter. Notwithstanding any other provision of law, interest shall be paid from funds appropriated in this item only to the extent, and in the amount, authorized by Section 17561.5 of the Government Code.
2. Notwithstanding any other provision of law, the payment of estimated reimbursement claims for the 2008–09 fiscal year shall not be made from this appropriation.
3. The Controller shall offset payments made from the appropriation in this item to recoup the amount of any unallowable mandate claim costs determined by desk or field audits.
4. Notwithstanding any other provision of law, accounts receivable for recoveries that result in savings as described in Provision 3 shall have no effect upon the positive balance of the General Fund. The savings may be used to pay claims for costs incurred to carry out the cited state mandates in this item.
5. Of the funds appropriated in Schedule (1), \$21,500,000 may be used to fund the initial reimbursement claims for mandates approved during the 2008–09 fiscal year.
6. *The Department of Finance, in consultation with the California State Association of Counties, shall review all mandates funded under this item relating to elections. The department shall submit a report to the Joint*

Legislative Budget Committee, by October 1, 2009, with recommendations regarding simplifying the reimbursement process for these mandates, including replacement of the current mandates' parameters and guidelines with a reasonable reimbursement methodology. The Controller's office shall not disburse, prior to June 1, 2010, any funds appropriated under this item to pay election mandate claims, unless the Director of Finance has submitted a letter to the Joint Legislative Budget Committee and the Controller's office indicating that the director has reached an agreement with the California Association of Counties on either the revised mandate reimbursement process proposed by the Department of Finance or an alternative, simplified mandate reimbursement process proposed by the California Association of Counties.

7. *The Department of Finance and the Department of Justice shall review the mandates funded under this item relating to domestic violence and rape counseling. The departments shall submit a report to the Joint Legislative Budget Committee, by January 1, 2010, with recommendations regarding consolidating the mandated requirements, coordinating the mandated requirements with voter-approved measures, and, if appropriate, reallocating funding for these mandates to victims' assistance programs.*
8. *The Department of Finance shall review the mandate reimbursement process and shall submit a report to the Joint Legislative Budget Committee, by April 1, 2010, with a recommendation regarding simplifying the mandate reimbursement process and reducing its costs.*

SEC. 518. *Item 8940-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:*

8940-001-0001—For support of Military Department.....	41,683,000
Schedule:	
(1) 10-Army National Guard.....	74,019,000
	74,470,000

1	(2) 20-Air National Guard.....	21,546,000
2	(3) 30.01-Office of the Adjutant General....	11,116,000
3	(4) 30.02-Distributed Office of the Adjutant General.....	-11,029,000
4		
5	(5) 35-Military Support to Civil Authority.....	20,069,000
6		
7	(6) 40-Military Retirement.....	3,035,000
8	(7) 50-California Cadet Corps.....	348,000
9	(8) 55-California State Military Reserve.....	478,000
10	(9) 65-California National Guard Youth Programs.....	18,434,000
11		
12	(11) Reimbursements.....	-19,881,000
13	(12) Amount payable from the Armory Discretionary Improvement Account (Item 8940-001-0485).....	-158,000
14		
15	(13) Amount payable from the Federal Trust Fund (Item 8940-001-0890).....	-76,294,000
16		
17	(14) Amount payable from the Mental Health Services Fund (Item 8940-001-3085)....	-451,000
18		
19	Provisions:	
20		
21	1. No expenditures shall be made from the funds appropriated in this item as a substitution for personnel, equipment, facilities, or other assistance, or for any portion thereof, that, in the absence of the expenditure, or of this appropriation, would be available to the Adjutant General of the State Military Forces, the California State Military, or the California State Military Reserve from the federal government.	
22		
23	2. The funds appropriated in Schedule (6) shall be for military retirements, in accordance with Sections 228 and 256 of the Military and Veterans Code.	
24		
25	3. Of the funds appropriated in this item, \$631,000 shall be used to provide mandatory employee compensation increases for state active duty employees, as follows:	
26		
27	(a) \$316,000 shall provide the remaining half-year funding needed for the compensation increase effective January 1, 2009; and (b) \$315,000 shall provide half-year funding for a compensation increase effective January 1, 2010, and shall only be available for expenditure upon passage of a federal active duty compen-	
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sation increase in the federal budget. The funds provided in this ~~paragraph~~ *provision* shall be expended pursuant to Sections 320 and 321 of the Military and Veterans Code, which requires state active duty employees to receive the same compensation increases as their counterparts on federal active duty. Any unspent funds pursuant to this paragraph shall revert to the General Fund.

SEC. 519. Item 8940-001-3085 is added to Section 2.00 of the Budget Act of 2009, to read:

8940-001-3085—For support of the California Military Department, for payment to Item 8940-001-0001, payable from the Mental Health Services Fund..... 451,000

SEC. 520. Item 8955-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

8955-001-0001—For support of Department of Veterans Affairs..... ~~198,932,000~~
192,132,000

Schedule:

- (1) 10-Farm and Home Loans to Veterans..... 2,241,000
- (2) 20-Veterans Claims and Rights..... 4,463,000
- (3) 30.01-Headquarters..... 23,112,000
- (4) 30.10-Veterans Home of California at Yountville..... 91,179,000
- (5) 30.20-Veterans Home of California at Barstow..... 21,286,000
- (6) 30.30-Veterans Home of California at Chula Vista..... 30,710,000
- (7) 30.40-Veterans Home of California-Greater Los Angeles Ventura County (GLAVC)..... ~~30,703,000~~
23,903,000
- (8) 30.50-Veterans Home of California at Redding..... 290,000

1	(9) 30.60-Veterans Home of California at	
2	Fresno.....	290,000
3	(10) 50.01-General Administration.....	20,714,000
4	(11) 50.02-Distributed General Administra-	
5	tion.....	-20,714,000
6	(12) Reimbursements.....	-1,093,000
7	(13) Amount payable from the Veterans	
8	Service Office Fund (Item 8955-001-	
9	0083).....	-52,000
10	(14) Amount payable from the Northern	
11	California Veterans Cemetery Perpetual	
12	Maintenance Fund (Item 8955-001-	
13	0238).....	-50,000
14	(15) Amount payable from the Veterans'	
15	Farm and Home Building Fund of 1943	
16	(Item 8955-001-0592).....	-2,241,000
17	(16) Amount payable from the Federal Trust	
18	Fund (Item 8955-001-0890).....	-1,692,000
19	(17) Amount payable from the Mental	
20	Health Services Fund (Item 8955-001-	
21	3085).....	-214,000
22	Provisions:	
23	1. Of the funds appropriated in this item, \$2,000,000	
24	shall be expended only for the replacement of equip-	
25	ment and furnishings directly related to the care of the	
26	members at Veterans Homes of California.	
27	2. The Secretary of Veterans Affairs shall report annually	
28	on all expenditures pursuant to Provision 1 to the Di-	
29	rector of Finance, the Chairperson of the Joint Legisla-	
30	tive Budget Committee, and the chairpersons of the	
31	fiscal committees of each house of the Legislature.	
32	The report shall specify the following: (a) the equip-	
33	ment purchased, (b) the amount expended, (c) the	
34	vendor from whom it was purchased, (d) the method	
35	of purchase, (e) the purpose and use of the equipment,	
36	(f) the location of the equipment by Home and Pro-	
37	gram Unit, and (g) the life expectancy of the equip-	
38	ment. The report shall also include planned expendi-	
39	tures of equipment as specified for the forthcoming	
40	five fiscal years.	

3. Of the funds appropriated in Schedule (4), the amount of \$500,000 is available for special projects that provide a direct benefit to the members of the Veterans Home of California at Yountville, including the maintenance of facilities used by members and the public. The Allied Council at the Veterans Home of California may submit special project requests to the administration for consideration. After consultation with the Allied Council, a budget for expenditure of these funds shall be approved by the administrator, and the Secretary of Veterans Affairs.
4. Of the funds appropriated in Schedule (4), up to \$118,000 shall be used to restore the Yountville Veterans Home's no-cost nonprescription drug benefit to the level provided in the 2004–05 fiscal year. It is the intent of the Legislature that this benefit shall be consistent with that provided at the Chula Vista and Barstow Veterans Homes.
5. Notwithstanding any other provision of law, the Department of Veterans Affairs is not required to comply with Chapter 615 of the Statutes of 2006 during the 2009–10 fiscal year because no appropriation has been provided to support the activities required by Chapter 615 of the Statutes of 2006.

SEC. 521. Item 9100-101-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

9100-101-0001—For local assistance, Tax Relief.....	479,318,000
	444,578,000

Schedule:

(1) 50-Homeowners' Property Tax Relief.....	444,578,000
(5) 60-Subventions for Open Space.....	34,740,000

Provisions:

1. Schedule (1) is for reimbursement to local taxing authorities for revenue lost by reason of the homeowners' property tax exemption granted pursuant to subdivision (k) of Section 3 of Article XIII of the California Constitution. The appropriation made in that schedule shall

be in lieu of the appropriation required pursuant to Section 25 of Article XIII of the California Constitution and the appropriation for the same purposes contained in Section 16100 or 16120 of the Government Code.

2. Notwithstanding any other provision of law, the Director of Finance may authorize expenditures for Schedule (1) in excess of or less than the amount appropriated not sooner than 30 days after notification in writing of the necessity therefor is provided to the chairpersons of the fiscal committees of each house of the Legislature and the Chairperson of the Joint Legislative Budget Committee, or not sooner than whatever lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine.
3. ~~Schedule (5) is for providing reimbursement to local taxing authorities for revenue lost by reason of the assessment of open space lands under Sections 423, 423.3, 423.4, and 423.5 of the Revenue and Taxation Code, and in accordance with Chapter 3 (commencing with Section 16140) of Part 1 of Division 4 of Title 2 of the Government Code. The appropriation made in that schedule shall be in lieu of the appropriation for the same purpose contained in Section 16100 or 16140 of the Government Code. The Controller shall allocate these funds in accordance with Section 16144 of the Government Code.~~

SEC. 522. Item 9350-104-6065 is added to Section 2.00 of the Budget Act of 2009, to read:

9350-104-6065—Local assistance-shared revenues for support of Local Streets and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006, Highway Safety, Traffic Reduction, Air Quality, and Port Security Fund of 2006.... 700,000,000
Provisions:

1. *Of the funds appropriated in this item, \$258,205,000 is for cities or a city and a county and \$441,795,000 is for counties or a city and a county.*

- 1 2. *The Controller shall allocate these funds on a first-*
2 *come, first-served basis, following notification from*
3 *the Department of Finance that the city, county, or*
4 *city and county has submitted a complete plan for the*
5 *expenditure of funds pursuant to Section 8879.65 of*
6 *the Government Code.*
- 7 3. *The following conditions shall apply for cities, coun-*
8 *ties, or a city and county receiving funds:*
 - 9 (a) *A city, county, or city and county shall have re-*
10 *ceived its full allocation for the 2007–08 fiscal*
11 *year.*
 - 12 (b) *A city, county, or city and county shall have sub-*
13 *mitted information for the 2007–08 fiscal year*
14 *allocation as required in subdivision (c) of Section*
15 *9979.65 of the Government Code.*
 - 16 (c) *A city, county, or city and county shall agree that*
17 *funds received from this item for the 2009–10*
18 *fiscal year will be used for projects that are not*
19 *currently fully funded with a dedicated funding*
20 *source or sources.*
 - 21 (d) *A city, county, or city and county shall agree to*
22 *encumber the funds in this item from the 2009–10*
23 *fiscal year allocation before July 1, 2010.*
 - 24 (e) *A city, county, or city and county shall report to*
25 *the Department of Finance the total balance of*
26 *unencumbered funds in the cities, counties, or city*
27 *and counties existing account as described in*
28 *subparagraphs (A) and (C) of paragraph (2) of*
29 *subdivision (i) of Section 8879.23 of the Govern-*
30 *ment Code.*
 - 31 (f) *A city, county, or city and county shall certify that*
32 *the total balance of unobligated or unencumbered*
33 *funds in the account as described in subpara-*
34 *graphs (A) and (C) of paragraph (2) of subdivi-*
35 *sion (i) of Section 8879.23 of the Government*
36 *Code is no more than the sum balance of three*
37 *months of anticipated apportionments from the*
38 *Highway Users Tax Account in the Transportation*
39 *Tax Fund, as described in Sections 2104, 2105,*
40 *2106, 2107, and 2107.5 of the Streets and High-*

way Code, and from the Transportation Investment Fund, as described in Section 7104 of the Revenue and Taxation Code.

If a city, county, or city and county has an unobligated or unencumbered balance that exceeds the sum balance of the three months of anticipated apportionments, it shall not increase its existing unobligated or unencumbered street (Gas Tax) or road fund balance, by the time the time the next report is submitted to the Controller pursuant to Section 2151 of the Streets and Highways Code.

If a city, county, or city and county has an unobligated or unencumbered balance that is less than the sum balance of the three months of anticipated apportionments, it may permit its fund balance to grow until the unencumbered balance is no more than the sum balance of three months of anticipated apportionments from the Highway Users Tax Account in the Transportation Tax Fund and the Transportation Investment Fund.

(g) For the purposes of this item, “unobligated” and “unencumbered” mean any portion of funding that is not designated, through prior approval by the city council or county board of supervisors, for the use on the planning, review, design, or construction phase of a project currently underway at the time of the annual street or road report.

4. Any of the funds that are not allocated by July 1, 2010, shall revert to the Local Streets and Road Improvement, Congestion Relief, and Traffic Safety Account of 2006 to be appropriated in future years.

SEC. 523. Item 9620-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

9620-001-0001—For payment of interest on General Fund	
loans, upon order of the Director of Finance, for any	
General Fund loan.....	100,000,000
	150,000,000

Provisions:

1. The Director of Finance, the Controller, and the Treasurer shall satisfy any need of the General Fund for borrowed funds in a manner consistent with the Legislature's objective of conducting General Fund borrowing in a manner that best meets the state's interest. The state fiscal officers may, among other factors, take into consideration the costs of external versus internal borrowings and potential impact on other borrowings of the state. In conducting internal borrowing, the Controller must ensure such borrowing is made in the most economical manner to the General Fund. Internal borrowable funds that require a higher rate of interest payments will be borrowed only after other internal borrowable funds are fully utilized.
2. In the event that interest expenses related to internal borrowing exceed the amount appropriated by this item, there is hereby appropriated any amount necessary to pay the interest. ~~Funds appropriated by this item~~ *Augmentation pursuant to this provision* shall not be expended prior to 30 days after the Department of Finance notifies the Joint Legislative Budget Committee of the amounts necessary or ~~not sooner than such lesser~~ *prior to a shorter period of time as determined by the Chairperson of the Joint Legislative Budget Committee may determine.*
3. In the event that Revenue Anticipation Warrants (RAWs) or Registered Warrants (IOUs) are issued, or considered to be issued, there is hereby appropriated any amount necessary, in excess of the amount appropriated by this item, to pay the expenses incurred by the Controller, Treasurer, Attorney General, and the Department of Finance in providing for the preparation, sale, issuance, advertising, legal services, credit enhancement, liquidity facility, or any other act which, as approved by the Department of Finance, is necessary for such issuance. ~~Funds appropriated by this item~~ *Augmentation pursuant to this provision* shall not be expended prior to 30 days after the Department of Finance notifies the Joint Legislative Budget Committee

of the amounts necessary or ~~not sooner than such~~
~~lesser~~ prior to a shorter period of time as determined
 by the Chairperson of the Joint Legislative Budget
 Committee ~~may determine~~.

4. *In the event that the Controller must implement a
 payment delay plan to manage emergency cash needs,
 there is hereby appropriated any amount necessary,
 in excess of the amount appropriated by this item, to
 pay the interest expenses, late payment penalties, and
 other costs incurred by the Controller that, as ap-
 proved by the Department of Finance, are necessary
 to implement the payment delay plan. Amounts appro-
 priated pursuant to this provision shall be transferred,
 upon approval of the Department of Finance, to aug-
 ment Item 0840-001-0001. Augmentation pursuant to
 this provision shall not be transferred or expended
 prior to 30 days after the Department of Finance noti-
 fies the Joint Legislative Budget Committee of the
 amounts necessary or prior to a shorter period of time
 as determined by the Chairperson of the Joint Legisla-
 tive Budget Committee.*

4. To ensure prompt and accurate General Fund ~~cash~~
~~flow~~ cashflow projections for the state, all departments
 must provide information as requested by the Depart-
 ment of Finance in the timeframe and medium as
 specified by the Department of Finance. Information
 requested may include past actuals and future projec-
 tion of disbursements, receipts, and cash balances.

*SEC. 524. Item 9655-001-0001 of Section 2.00 of the Budget
 Act of 2009 is amended to read:*

9655-001-0001—For Augmentation for Statewide Accounts	
Receivable Management Enhancements.....	3,309,000
	1,175,000

Provisions:

1. Amounts appropriated by this item shall be transferred,
 upon approval by the Director of Finance, to augment
 any other General Fund item of appropriation, depart-

ment, board, commission, or other state entity. Transfers shall be made to fund expenditures for statewide accounts receivable management enhancements.

2. Notwithstanding any other provision of law, upon approval of the ~~Department~~ *Director* of Finance, expenditure authority may be transferred among Items 9655-001-0001 and 9655-001-0494 and 9655-001-0988 as necessary to fund costs for statewide accounts receivable management enhancements.

3. In the event that expenditures for statewide accounts receivable management enhancements exceed the amount appropriated by this item, the Director of Finance may allocate an additional amount over the amount appropriated by this item. This allocation shall be made no sooner than 30 days after notification to the Chairperson of the Joint Legislative Budget Committee and the ~~chairperson~~ *chairpersons* of the fiscal committees in each house *of the Legislature*.

4. \$108,000 shall be transferred, upon approval by the Director of Finance, to Item 0840-001-0001, as necessary to enhance statewide accounts receivable reporting and to improve accounts receivable management practices.

5. No later than December 31, 2010, the Controller shall submit a report to the ~~Department~~ *Director* of Finance that describes: (a) a summary on supplemental receivables reporting and discharged accounts from all departments for periods prescribed by the ~~Department~~ *Director* of Finance, and (b) recommendations for enhancing revenue opportunities and process improvements.

SEC. 525. Item 9655-001-0494 of Section 2.00 of the Budget Act of 2009 is amended to read:

9655-001-0494—For Augmentation for Statewide Accounts Receivable Management Enhancements, payable from unallocated special funds.....	4,274,000
	3,125,000

Provisions:

1. Provisions 1, 2, and 3 of Item 9655-001-0001 also apply to this item, except references to General Fund appropriations shall instead refer to special fund appropriations.

SEC. 526. Item 9800-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

9800-001-0001—For Augmentation for Employee Compensation.....	44,533,000
	40,742,000

Provisions:

1. The amount appropriated in this item shall not be construed to control or influence collective bargaining between the state employer and employee representatives.
2. The funds appropriated in this item are for compensation increases and increases in benefits related thereto of employees whose compensation, or portion thereof, is chargeable to the General Fund, to be allocated by executive order by the ~~Department~~ *Director* of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations or allocations, in accordance with approved memoranda of understanding or, for employees excluded from collective bargaining, in accordance with salary and benefit schedules established by the Department of Personnel Administration.
3. It is the intent of the Legislature that all proposed augmentations for increased employee compensation costs, including, but not limited to, base salary increases, pay increases to bring one group of employees into a pay equity position with another group of public employees, and recruitment and retention differentials, be budgeted and considered on a comprehensive, statewide basis. Therefore, the Legislature declares its intent to reject any proposed augmentations that are not included in Item 9800 in the 2010–11 Budget Act,

given that this is the item where the funds to implement comprehensive statewide compensation policies, including those adopted pursuant to collective bargaining, are considered. This provision shall not apply to augmentations for increased employee compensation costs resulting from mandatory judicial orders to raise pay for any group of employees or augmentations for increased compensation costs, or approvals for departments to provide increased employee compensation levels, that are included in bills separate from the Budget Act.

4. The funds appropriated by this item and any other item may not be used or expended to fund any compensation proposal in the last, best, and final offer made by the state employer to State Bargaining Unit 6 implemented on September 18, 2007. Nothing in this act shall be construed as legislative approval for the expenditure of funds in accordance with that state employer's last, best, and final offer, as required by subdivision (b) of Section 3517.8 of the Government Code.
5. This item contains funds estimated to be necessary to implement side letters, appendices, or other addenda to a memorandum of understanding (collectively referred to as "pending agreements") that have been determined by the Joint Legislative Budget Committee to require legislative approval prior to their implementation, but which may not have been approved in separate legislation as of the date of the passage of this act. In the event that the Legislature does not approve separate legislation to authorize implementation of any of the pending agreements, the ~~Department~~ *Director* of Finance shall not allocate any funds related to those pending agreements pursuant to Provision 2, and the expenditure of funds for those pending agreements shall not be deemed to have been approved by the Legislature.
6. As of July 31, 2010, the unencumbered balances of the above appropriation shall revert to the General Fund.

SEC. 527. Item 9800-001-0494 of Section 2.00 of the Budget Act of 2009 is amended to read:

9800-001-0494—For Augmentation for Employee Compensation, payable from other unallocated special funds.....	51,832,000
	51,589,000

Provisions:

1. The amount appropriated in this item shall not be construed to control or influence collective bargaining between the state employer and employee representatives.
2. The funds appropriated in this item are for compensation increases and increases in benefits related thereto of employees whose compensation, or portion thereof, is chargeable to special funds, to be allocated by executive order by the ~~Department~~ Director of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations or allocations, in accordance with approved memoranda of understanding or, for employees excluded from collective bargaining, in accordance with salary and benefit schedules established by the Department of Personnel Administration.
3. Notwithstanding any other provision of law, upon approval of the ~~Department~~ Director of Finance, expenditure authority may be transferred between this item and Item 9800-001-0988 as necessary to fund costs for approved memoranda of understanding or, for employees excluded from collective bargaining, in accordance with salary and benefit schedules established by the Department of Personnel Administration.
4. It is the intent of the Legislature that all proposed augmentations for increased employee compensation costs, including, but not limited to, base salary increases, pay increases to bring one group of employees into a pay equity position with another group of public employees, and recruitment and retention differentials, be budgeted and considered on a comprehensive,

statewide basis. Therefore, the Legislature declares its intent to reject any proposed augmentations that are not included in Item 9800 in the 2010–11 Budget Act, given that this is the item where the funds to implement comprehensive statewide compensation policies, including those adopted pursuant to collective bargaining, are considered. This provision shall not apply to augmentations for increased employee compensation costs resulting from mandatory judicial orders to raise pay for any group of employees or augmentations for increased compensation costs, or approvals for departments to provide increased employee compensation levels, that are included in bills separate from the Budget Act.

5. The funds appropriated by this item and any other item may not be used or expended to fund any compensation proposal in the last, best, and final offer made by the state employer to State Bargaining Unit 6 implemented on September 18, 2007. Nothing in this act shall be construed as legislative approval for the expenditure of funds in accordance with that state employer's last, best, and final offer, as required by subdivision (b) of Section 3517.8 of the Government Code.
6. This item contains funds estimated to be necessary to implement side letters, appendices, or other addenda to a memorandum of understanding (collectively referred to as "pending agreements") that have been determined by the Joint Legislative Budget Committee to require legislative approval prior to their implementation, but which may not have been approved in separate legislation as of the date of the passage of this act. In the event that the Legislature does not approve separate legislation to authorize implementation of any of the pending agreements, the ~~Department~~ *Director* of Finance shall not allocate any funds related to those pending agreements pursuant to Provision 2, and the expenditure of funds for those pending agreements shall not be deemed to have been approved by the Legislature.

7. As of July 31, 2010, the unencumbered balances of the above appropriation shall no longer be available for expenditure.

SEC. 528. Item 9800-001-0988 of Section 2.00 of the Budget Act of 2009 is amended to read:

9800-001-0988—For Augmentation for Employee Compensation, payable from other unallocated nongovernmental cost funds.....	25,529,000
	25,410,000

Provisions:

1. The amount appropriated in this item shall not be construed to control or influence collective bargaining between the state employer and employee representatives.
2. The funds appropriated in this item are for employee compensation increases, and increases in benefits related thereto, whose compensation or portion thereof is chargeable to nongovernmental cost funds, to be allocated by executive order by the ~~Department~~ *Director* of Finance to the several state offices, departments, boards, bureaus, commissions, and other state agencies, in augmentation of their respective appropriations or allocations, in accordance with approved memoranda of understanding or, for employees excluded from collective bargaining, in accordance with salary and benefit schedules established by the Department of Personnel Administration.
3. Notwithstanding any other provision of law, upon approval of the ~~Department~~ *Director* of Finance, expenditure authority may be transferred between Item 9800-001-0494 and this item as necessary to fund costs for approved memoranda of understanding or, for employees excluded from collective bargaining, in accordance with salary and benefit schedules established by the Department of Personnel Administration.
4. It is the intent of the Legislature that all proposed augmentations for increased employee compensation costs, including, but not limited to, base salary increases, pay increases to bring one group of employees into

a pay equity position with another group of public employees, and recruitment and retention differentials, be budgeted and considered on a comprehensive, statewide basis. Therefore, the Legislature declares its intent to reject any proposed augmentations that are not included in Item 9800 in the 2010–11 Budget Act, given that this is the item where the funds to implement comprehensive statewide compensation policies, including those adopted pursuant to collective bargaining, are considered. This provision shall not apply to augmentations for increased employee compensation costs resulting from mandatory judicial orders to raise pay for any group of employees or augmentations for increased compensation costs, or approvals for departments to provide increased employee compensation levels, that are included in bills separate from the Budget Act.

5. The funds appropriated by this item and any other item may not be used or expended to fund any compensation proposal in the last, best, and final offer made by the state employer to State Bargaining Unit 6 implemented on September 18, 2007. Nothing in this act shall be construed as legislative approval for the expenditure of funds in accordance with that state employer's last, best, and final offer, as required by subdivision (b) of Section 3517.8 of the Government Code.
6. This item contains funds estimated to be necessary to implement side letters, appendices, or other addenda to a memorandum of understanding (collectively referred to as "pending agreements") that have been determined by the Joint Legislative Budget Committee to require legislative approval prior to their implementation, but which may not have been approved in separate legislation as of the date of the passage of this act. In the event that the Legislature does not approve separate legislation to authorize implementation of any of the pending agreements, the ~~Department~~ *Director* of Finance shall not allocate any funds related to those pending agreements pursuant to Provision 2, and

the expenditure of funds for those pending agreements shall not be deemed to have been approved by the Legislature.

7. As of July 31, 2010, the unencumbered balances of the above appropriation shall no longer be available for expenditure.

SEC. 529. Item 9840-001-0001 of Section 2.00 of the Budget Act of 2009 is amended to read:

- 9840-001-0001—For Augmentation for Contingencies or Emergencies..... 44,100,000
- Provisions:
1. Subject to the conditions set forth in this item, amounts appropriated by this item shall be transferred, upon approval by the Director of Finance, to augment any other General Fund item of appropriation that is made under this act to an agency, department, board, commission, or other state entity. Such a transfer may be made to fund unanticipated expenses to be incurred for the ~~2008-09~~ 2009-10 fiscal year under an existing program that is funded by that item of appropriation, but only in a case of actual necessity as determined by the Director of Finance. For purposes of this item, an “existing program” is one that is authorized by law.
 2. The Director of Finance may not approve a transfer under this item, nor may any funds appropriated in augmentation of this item be allocated, to fund any of the following: (a) capital outlay, (b) any expense attributable to a prior fiscal year, (c) any expense related to legislation enacted without an appropriation, (d) startup costs of programs not yet authorized by the Legislature, (e) costs that the administration had knowledge of in time to include in the May Revision, or (f) costs that the administration has the discretion to incur or not incur.
 3. A transfer of funds approved by the Director of Finance under this item shall become effective no sooner than 30 days after the director files written notification thereof with the Chairperson of the Joint

Legislative Budget Committee, and the chairpersons of the fiscal committees in each house of the Legislature, or no sooner than any lesser time the chairperson of the joint committee, or his or her designee, may in each instance determine, except for an approval for an emergency expense as defined in Provision 5.

4. Each notification shall include all of the following:
 - (a) the date the recipient state entity reported to the ~~Department~~ *Director* of Finance the need to increase its appropriation, (b) the reason for the expense, (c) the transfer amount approved by the Director of Finance, and (d) the basis of the director's determination that the expense is actually needed. Each notification shall also include a determination by the director as to whether the expense was considered in a legislative budget committee and formal action was taken not to approve the expense for the ~~2008-09~~ *2009-10* fiscal year. Any increase in a department's appropriation to fund unanticipated expenses shall be approved by the Director of Finance.
5. The Director of Finance may approve a transfer under this item for an emergency expense only if the approval is set forth in a written notification that is filed with the Chairperson of the Joint Legislative Budget Committee, and the chairpersons of the fiscal committees in each house of the Legislature, no later than 10 days after the effective date of the approval. Each notification for an emergency expense shall state the reason for the expense, the transfer amount approved by the director, and the basis of the director's determination that the expense is an emergency expense. For the purposes of this item, "emergency expense" means an expense incurred in response to conditions of disaster or extreme peril that threaten the immediate health or safety of persons or property in this state.
6. Within 15 days of receipt, the ~~Department~~ *Director* of Finance shall provide, to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the fiscal committees in each house of the Legislature, copies of all requests, including any sup-

1 porting documentation, from any agency, department,
2 board, commission, or other state entity for a transfer
3 under this item. The submission to the Legislature of
4 a copy of such a request does not constitute approval
5 of the request by the Director of Finance. Within 15
6 days of receipt, the director shall also provide copies
7 to these chairpersons of all other requests received by
8 the ~~Department~~ Director of Finance from any state
9 agency, department, board, commission, or other state
10 entity to fund a contingency or emergency through a
11 supplemental appropriations bill augmenting this item.

12 7. For any transfer of funds pursuant to this item, the
13 augmentation of a General Fund item of appropriation
14 ~~made by this act~~ shall not exceed the following during
15 any fiscal year:

16 (a) 30 percent of the amount ~~scheduled~~ appropriated,
17 for those ~~scheduled amounts~~ appropriations made
18 by this act that are \$4,000,000 or less.

19 (b) 20 percent of the amount ~~scheduled~~ appropriated,
20 for those ~~scheduled amounts~~ appropriations made
21 by this act that are more than \$4,000,000.

22 8. The Director of Finance may withhold authorization
23 for the expenditure of funds transferred pursuant to
24 this item until such time as, and to the extent that,
25 preliminary estimates of potential unanticipated ex-
26 penses are verified.

27 9. The Director of Finance shall submit any requests for
28 supplemental appropriations in augmentation of this
29 item to the Chairperson of the Joint Legislative Budget
30 Committee and the chairpersons of the fiscal commit-
31 tees in each house of the Legislature. Requests shall
32 include the information and determinations required
33 by Provision 4, excluding subdivision (c), and a deter-
34 mination that requests meet the requirements of Provi-
35 sion 2.

36
37 *SEC. 530. Section 3.55 is added to the Budget Act of 2009, to*
38 *read:*

39 *SEC. 3.55. Notwithstanding any other provision of law, upon*
40 *the order of the Director of Finance, the Controller's Office shall,*

as jointly determined with the Public Employees' Retirement System, reduce statewide budget items appropriation authority for two months in the 2009–10 fiscal year to recover Preferred Provider Organization premiums paid in excess by members and employers in previous fiscal years.

SEC. 531. Section 3.60 of the Budget Act of 2009 is amended to read:

SEC. 3.60. (a) Notwithstanding any other provision of law, the employers' retirement contributions for the 2009–10 fiscal year that are chargeable to an appropriation made in this act, with respect to each state officer and employee who is a member of the ~~California~~ Public Employees' Retirement System—~~(CalPERS)~~ (PERS) or the Judges' Retirement System II and who is in that employment or office, including university members as provided by Section 20751 of the Government Code, shall be the percentage of salaries and wages by state member category, as follows:

Miscellaneous, First Tier.....	16.574% —16.917%
Miscellaneous, Second Tier.....	16.470% —16.737%
State Industrial.....	17.236% —17.251%
State Safety.....	18.411% —18.099%
Peace Officer/Firefighter.....	26.064% —25.848%
Highway Patrol.....	32.149% —28.438%
Judges' Retirement System II.....	20.227% —20.358%

The Director of Finance may adjust amounts in any appropriation item, or in any category thereof, in this act as a result of changes from amounts budgeted for employer contributions for 2009–10 fiscal year retirement benefits to achieve the percentages specified in this subdivision.

(b) Notwithstanding any other provision of law, the Director of Finance shall require retirement contributions computed pursuant to subdivision (a) to be offset by the Controller with surplus funds in the Public Employees' Retirement Fund, employer surplus asset accounts.

(c) Notwithstanding any other provision of law, for purposes of calculating the “appropriations subject to limitation” as defined in Section 8 of Article XIII B of the California Constitution, the appropriations in this act shall be deemed to be the amounts

1 remaining after the adjustments required by subdivisions (a) and
2 (b) are made.

3 *SEC. 532. Section 3.90 of the Budget Act of 2009 is amended*
4 *to read:*

5 SEC. 3.90. (a) Notwithstanding any other provision of this
6 act, each item of appropriation in this act, with the exception of
7 those items for the California State University, the University of
8 California, Hastings College of the Law, *the Bureau of State Audits*,
9 the Legislature (including the Legislative Counsel Bureau), and
10 the judicial branch, shall be reduced, as appropriate, to reflect a
11 reduction in employee compensation achieved through the
12 collective bargaining process for represented employees or through
13 existing administration authority and a proportionate reduction for
14 nonrepresented employees (utilizing existing authority of the
15 administration to adjust compensation for nonrepresented
16 employees) in the total amounts of ~~\$1,024,326,000~~ *\$1,074,326,000*
17 from General Fund items and \$688,375,000 from items relating
18 to other funds. The Director of Finance shall allocate the necessary
19 reductions to each item of appropriation to accomplish the
20 employee compensation reductions required by this section.

21 (b) The Department of Personnel Administration shall transmit
22 proposed memoranda of understanding to the Legislature promptly
23 and shall include with each such transmission estimated savings
24 pursuant to this section of each agreement.

25 (c) Nothing in this section shall change or supersede the
26 provisions of the Ralph C. Dills Act (Chapter 10.3 (commencing
27 with Section 3512) of Division 4 of Title 1 of the Government
28 Code).

29 *SEC. 533. Section 4.01 of the Budget Act of 2009 is amended*
30 *to read:*

31 SEC. 4.01. (a) Notwithstanding any other provision of law,
32 the Director of Finance shall reduce items of appropriation in this
33 act to reflect savings achieved pursuant to the Alternate Retirement
34 Program (Chapter 214 of the Statutes of 2004). These reductions
35 shall not apply to the University of California, Hastings College
36 of the Law, California State University, the Legislature, or the
37 ~~judicial branch~~ *Judicial Branch*.

38 (b) Notwithstanding any other provision of law, the Director of
39 Finance shall reduce items of appropriation in this act to reflect
40 savings achieved through reforms in employee compensation,

1 subject to memoranda of understanding negotiated with collective
2 bargaining units and ratified by the Legislature. These reductions
3 shall apply to all agencies and departments whose employees are
4 subject to collective bargaining agreements negotiated by the
5 Department of Personnel Administration or are excluded employees
6 as defined in Section 3527 of the Government Code.

7 (c) The Director of Finance shall report to the Chairperson of
8 the Joint Legislative Budget Committee and the chairpersons of
9 the committees of each house of the Legislature that consider
10 appropriations not more than 30 days after the reductions are made
11 pursuant to this section. The report shall list reductions by
12 department and agency.

13 (d) Nothing within this section shall be interpreted to confer
14 any authority upon the Director of Finance to modify or eliminate
15 any other provision of existing law.

16 *SEC. 534. Section 4.12 of the Budget Act of 2009 is amended*
17 *to read:*

18 ~~SEC. 4.12. Notwithstanding any other provision of law, any~~
19 ~~positions that have been proposed to be added for the State Water~~
20 ~~Project for the 2009–10 fiscal year are neither approved nor~~
21 ~~disapproved until future action is taken by the Legislature. Of the~~
22 ~~funds provided in this act to the Department of Water Resources~~
23 ~~for the implementation of the Delta Habitat Conservation and~~
24 ~~Conveyance Program, funding shall be used only for planning~~
25 ~~workload related to the program and shall not be used for the~~
26 ~~physical construction of an alternative conveyance facility.~~

27 *SEC. 535. Section 4.85 is added to the Budget Act of 2009, to*
28 *read:*

29 *SEC. 4.85. The Controller shall transfer to the General Fund*
30 *the amount remaining in the State Public Works Board, 1995 Series*
31 *A, 1996 Series A, and 1998 Series A Energy Efficiency Bonds,*
32 *Public Buildings Construction Fund.*

33 *SEC. 536. Section 8.55 is added to the Budget Act of 2009, to*
34 *read:*

35 *SEC. 8.55. (a) It is the intent of the Legislature that the State*
36 *of California comply with requirements associated with its receipt*
37 *of funds pursuant to the American Recovery and Reinvestment Act*
38 *(ARRA), Public Law 111-5. To supplement required activities*
39 *related to ARRA that are being funded in various items of this act,*
40 *the Legislature has provided funds to the Bureau of State Audits*

1 to act as the central, independent auditing and oversight agency
2 required under various provisions of ARRA. In addition, the
3 Legislature has provided funds to the Director of Finance intended
4 to coordinate oversight and administration activities related to
5 use of ARRA funds by state agencies, including data collection,
6 tracking, and reporting.

7 (b) (1) The \$1,600,000 General Fund loan provided in this act
8 to the Bureau of State Audits and the \$4,100,000 General Fund
9 loan provided in this act to the Director of Finance shall be
10 reimbursed from federal ARRA funds, including principally or
11 exclusively the 0.5 percent of total ARRA funds authorized to be
12 spent on certain centralized state oversight activities in Office of
13 Management and Budget Memorandum M-09-18 of May 11, 2009,
14 or similar guidance or legislation, or other available federal funds.
15 The Director of Finance shall cooperate with the Bureau of State
16 Audits, as required, to facilitate reimbursement of these and any
17 other federal moneys the bureau is authorized to expend related
18 to its ARRA auditing and oversight activities.

19 (2) Should any expenditures of the loan amounts authorized in
20 this section ultimately be determined by the federal government
21 not to be reimbursable, the Director of Finance is required and
22 authorized to reduce and transfer to the General Fund any
23 appropriations in this act for state operations in departments under
24 the control of the Governor that benefited generally from the use
25 of the General Fund loan to the extent necessary to pay off any
26 outstanding balance of the loan.

27 (c) The Bureau of State Audits may request additional General
28 Fund loans or the authority to expend federal ARRA funds related
29 to statewide auditing and oversight in amounts of up to \$1,067,000.
30 In the event that General Fund loans are requested, they shall be
31 reimbursed from federal funds in a manner similar to that
32 described in subdivision (b). The Bureau of State Audits shall
33 provide such requests to the Chairperson of the Joint Legislative
34 Budget Committee and provide copies of such requests to the
35 Legislative Analyst and the Director of Finance. Any such request
36 shall include a detailed description and justification for previous
37 and anticipated uses of funds related to this section. The additional
38 General Fund loans or authority to expend the federal ARRA funds
39 described above shall not be made available to the Bureau of State
40 Audits until 30 days after the request is provided to the

1 Chairperson of the Joint Legislative Budget Committee or at such
2 earlier date as the chairperson of the joint committee may
3 determine. The Legislature requests that the Bureau of State Audits
4 provide to the Director of Finance, the Chairperson of the Joint
5 Legislative Committee, and the Legislative Analyst an estimate of
6 the funds it will require for ARRA statewide oversight and auditing
7 activities in each fiscal year during which it will be undertaking
8 such activities as soon as possible. The Bureau of State Audits
9 may amend this estimate of the funds it will require for ARRA
10 activities after the initial submission of this document.

11 (d) The Director of Finance shall provide to the Chairperson
12 of the Joint Legislative Budget Committee, when appropriate, a
13 comprehensive plan describing statewide ARRA oversight and
14 auditing activities anticipated for the entire period during which
15 such ARRA oversight and auditing will be necessary. The report
16 shall, at a minimum, describe all of the following: (1) the amount
17 of ARRA funds expected to be available to be spent on statewide
18 accountability and oversight activities (including data collection,
19 tracking, and reporting) based on definitive federal guidance or
20 legislation concerning this matter; (2) a description of the roles
21 of each entity in state government to be involved in statewide
22 oversight and auditing activities related to ARRA, (3) specific
23 citations, as appropriate, of federal guidance, regulations, or
24 legislation that require each function of each entity in state
25 government involved in ARRA statewide oversight and auditing
26 activities, (4) detailed descriptions of why any proposed activities
27 not specifically required in federal guidance, regulations, or
28 legislation will be undertaken, and (5) the amount of ARRA federal
29 funds for statewide accountability and oversight (including data
30 collection, tracking, and reporting) expected to be needed in each
31 fiscal year during which ARRA statewide oversight and auditing
32 activities will be required. The Director of Finance shall include
33 costs for ARRA statewide auditing and oversight activities of the
34 Bureau of State Audits in the comprehensive plan and may amend
35 the comprehensive report after its initial submission to account
36 for costs identified by the bureau.

37 (e) The Director of Finance may request additional General
38 Fund loans or the authority to expend federal ARRA funds related
39 to statewide auditing and oversight in amounts exceeding those
40 in subdivision (b) but in no case may the Director of Finance

1 request funding for the 2009–10 fiscal year in excess of that
2 available for its activities during that fiscal year, as described in
3 item 5 of the comprehensive report described in subdivision (d).
4 The additional loans or authority to expend funds described in
5 this subdivision shall not be made available to the Director of
6 Finance until 30 days after both the comprehensive report
7 described in subdivision (d) and the request for these loans or
8 funds is provided to the Chairperson of the Joint Legislative Budget
9 Committee or at such earlier date as the chairperson of the joint
10 committee may determine. In the event that General Fund loans
11 are requested, they shall be reimbursed from federal funds in a
12 manner similar to that described in subdivision (b).

13 (f) The Bureau of State Audits may request additional General
14 Fund loans or the authority to expend federal ARRA funds related
15 to statewide auditing and oversight in amounts exceeding those
16 in subdivisions (b) and (c), but it is the intent of the Legislature
17 that the bureau not request funding for the 2009–10 fiscal year in
18 excess of that specified in the estimate of required funds that the
19 bureau will submit or amend pursuant to subdivision (c). The
20 additional loans or authority to expend funds described in this
21 subdivision shall not be made available to the Bureau of State
22 Audits until 30 days after the request for these loans or funds is
23 provided to the Chairperson of the Joint Legislative Budget
24 Committee or at such earlier date as the chairperson of the joint
25 committee may determine. In the event that General Fund loans
26 are requested, they shall be reimbursed from federal funds in a
27 manner similar to that described in subdivision (b).

28 (g) Except for the \$2,500,000 authorized in Provision 6 of Item
29 8860-001-0001 of Section 2.00, no funds provided in this section
30 or in any other item of this act may be expended by the Director
31 of Finance, the ARRA inspector general, a state department under
32 the control of the Governor, or the ARRA task force for a
33 centralized statewide database of ARRA spending until 30 days
34 after a detailed justification of the federal requirements therefor
35 has been submitted to the Chairperson of the Joint Legislative
36 Budget Committee or at such earlier date as the chairperson of
37 the joint committee may determine. This request may be combined
38 with the comprehensive report described in subdivision (d).

39 (h) It is the intent of the Legislature that funds provided to the
40 Director of Finance pursuant to this section address costs of the

1 *state's ARRA coordinating task force, the Inspector General*
 2 *appointed by the Governor, and the Office of State Audits and*
 3 *Evaluation's efforts described herein and provide full transparency*
 4 *to the public in the use of ARRA funds.*

5 *SEC. 537. Section 12.00 of the Budget Act of 2009 is amended*
 6 *to read:*

7 SEC. 12.00. For the purposes of Article XIII B of the California
 8 Constitution, there is hereby established a state "appropriations
 9 limit" of ~~\$81,000,000,000~~ \$80,984,000,000 for the 2009–10 fiscal
 10 year.

11 Any judicial action or proceeding to attack, review, set aside,
 12 void, or annul the "appropriations limit" for the 2009–10 fiscal
 13 year shall be commenced within 45 days of the effective date of
 14 this act.

15 *SEC. 538. Section 12.32 of the Budget Act of 2009 is amended*
 16 *to read:*

17 SEC. 12.32. (a) It is the intent of the Legislature that
 18 appropriations that are subject to Section 8 of Article XVI of the
 19 California Constitution be designated with the wording
 20 "Proposition 98." In the event these appropriations are not so
 21 designated, they may be designated as such by the Department of
 22 Finance, where that designation is consistent with legislative intent,
 23 within 30 days after notification in writing of the proposed
 24 designation to the chairpersons of the committees in each house
 25 of the Legislature that consider appropriations and the Chairperson
 26 of the Joint Legislative Budget Committee, or within a lesser time
 27 that the chairperson of the joint committee, or his or her designee,
 28 determines.

29 (b) Pursuant to the Proposition 98 funding requirements
 30 established in Chapter 2 (commencing with Section 41200) of Part
 31 24 of Division 3 of Title 2 of the Education Code, the total
 32 appropriations for Proposition 98 for the 2009–10 fiscal year are
 33 ~~\$40,523,751,000~~ \$36,301,084,000 or ~~42.2~~ 40.1 percent of total
 34 General Fund revenues and transfers subject to the state
 35 appropriations limit. General Fund revenues appropriated for school
 36 districts are ~~\$35,827,600,000~~ \$32,351,995,000 or ~~37.3~~ 35.7 percent
 37 of total General Fund revenues and transfers subject to the state
 38 appropriations limit. General Fund revenues appropriated for
 39 community college districts are ~~\$4,587,827,000~~ \$3,836,897,000
 40 or ~~4.8~~ 4.2 percent of total General Fund revenues and transfers

1 subject to the state appropriations limit. General Fund revenues
2 appropriated for other state agencies that provide direct elementary
3 and secondary level education, as defined in Section 41302.5 of
4 the Education Code, are ~~\$108,324,000~~ \$112,192,000 or 0.1 percent
5 of total General Fund revenues and transfers subject to the state
6 appropriations limit.

7 *SEC. 539. Section 12.42 of the Budget Act of 2009 is amended*
8 *to read:*

9 *SEC. 12.42. (a) The amounts appropriated in the items set*
10 *forth in subdivision (b) are each hereby reduced by the percentage*
11 *determined by dividing ~~1,211,296,000~~ 1,317,610,000 by the sum*
12 *of the amounts appropriated in the items set forth in subdivision*
13 *(b).*

14 *(b) Subdivision (a) shall apply to Items 6110-103-0001,*
15 *6110-104-0001, 6110-105-0001, 6110-107-0001, 6110-108-0001,*
16 *6110-111-0001, 6110-113-0001, 6110-119-0001, 6110-122-0001,*
17 *6110-124-0001, 6110-125-0001, 6110-137-0001, 6110-144-0001,*
18 *6110-150-0001, 6110-151-0001, 6110-156-0001, 6110-158-0001,*
19 *6110-166-0001, 6110-167-0001, 6110-181-0001, 6110-182-0001,*
20 *6110-188-0001, 6110-189-0001, 6110-190-0001, 6110-193-0001,*
21 *6110-195-0001, 6110-198-0001, 6110-204-0001, 6110-208-0001,*
22 *6110-209-0001, ~~6110-211-0001~~, 6110-220-0001, 6110-224-0001,*
23 *6110-227-0001, 6110-228-0001, 6110-232-0001, 6110-240-0001,*
24 *6110-242-0001, 6110-243-0001, 6110-244-0001, 6110-245-0001,*
25 *6110-246-0001, 6110-247-0001, 6110-248-0001, 6110-260-0001,*
26 *6110-265-0001, 6110-266-0001, 6110-267-0001, 6110-268-0001*
27 *and, 6360-101-0001, and Schedule (1) of Item 6110-211-0001 of*
28 *Section 2.00 of this act.*

29 *SEC. 540. Section 12.45 is added to the Budget Act of 2009,*
30 *to read:*

31 *SEC. 12.45. The Director of Finance shall, for all agencies*
32 *and departments paid through the Uniform State Payroll System,*
33 *reduce as necessary the appropriations in the items set forth in*
34 *Section 2.00 to recognize the change in the accounting method for*
35 *the payment of state employee salaries pursuant to Section 13302*
36 *of the Government Code.*

37 *SEC. 541. Section 12.50 is added to the Budget Act of 2009,*
38 *to read:*

39 *SEC. 12.50. The amount appropriated in Item 7980-101-0001*
40 *of Section 2.00 is hereby reduced by \$37,600,000.*

1 *SEC. 542. Section 12.55 is added to the Budget Act of 2009,*
2 *to read:*

3 *SEC. 12.55. The Director of Finance shall permit the California*
4 *African-American Museum to utilize \$293,000 from the Exposition*
5 *Park Improvement Fund for the replacement, repair, and other*
6 *upgrades of critical infrastructure costs for the museum.*

7 *SEC. 543. Section 13.10 is added to the Budget Act of 2009,*
8 *to read:*

9 *SEC. 13.10. (a) The amount appropriated in Item*
10 *0110-001-0001 of Section 2.00 is hereby reduced by \$2,783,000.*

11 *(b) The amount appropriated in Item 0120-011-0001 of Section*
12 *2.00 is hereby reduced by \$5,477,000.*

13 *(c) (1) The amount appropriated in Schedule (1) of Item*
14 *0130-021-0001 of Section 2.00 is hereby reduced by \$188,000.*

15 *(2) The amount transferred in Schedule (2) of Item*
16 *0130-021-0001 of Section 2.00 is hereby reduced by \$94,000.*

17 *(3) The amount transferred in Schedule (3) of Item*
18 *0130-021-0001 of Section 2.00 is hereby reduced by \$94,000.*

19 *(d) The amount appropriated in Item 0160-001-0001 of Section*
20 *2.00 is hereby reduced by \$7,546,000.*

21 *(e) The amount appropriated in Item 8855-001-0001 of Section*
22 *2.00 is hereby reduced by \$514,000.*

23 *SEC. 544. Section 13.25 is added to the Budget Act of 2009,*
24 *to read:*

25 *SEC. 13.25. (a) Notwithstanding any other provision of law,*
26 *the Director of Finance may adjust amounts in any item of*
27 *appropriation in Section 2.00 to reflect reorganizations and*
28 *consolidations of departments or functions of departments that*
29 *are approved by the Legislature.*

30 *(b) Within 30 days of making any adjustment pursuant to this*
31 *section, the Department of Finance shall report the adjustment in*
32 *writing to the Joint Legislative Budget Committee.*

33 *SEC. 545. Section 13.50 is added to the Budget Act of 2009,*
34 *to read:*

35 *SEC. 13.50. (a) (1) It is the intent of the Legislature to*
36 *eliminate the following eight entities as of January 1, 2010:*

37
38 0510 *Secretary of State and Consumer Services*
39 0520 *Secretary of Business, Transportation and Housing*
40 0530 *Secretary of California Health and Human Services*

1 0540 *Secretary of the Natural Resources Agency*
2 0555 *Secretary for Environmental Protection*
3 0558 *Secretary for Education*
4 0559 *Labor and Workforce Development Agency*
5 0650 *Office of Planning and Research*
6

7 (2) *Notwithstanding any other provision of law, the Director of*
8 *Finance shall, pursuant to subdivision (c), make all necessary*
9 *adjustments to the items of appropriation for the entities described*
10 *in paragraph (1) to reflect the elimination of those agencies. It is*
11 *the intent of the Legislature to enact legislation in the 2009–10*
12 *Regular Session, or in an extraordinary session, of the Legislature*
13 *to provide the necessary statutory changes to implement this*
14 *section.*

15 (b) *Notwithstanding any other provision of law, as of January*
16 *1, 2010, it is the intent that the following functions shall be*
17 *transferred as follows:*

18 (1) *Advisors to the Governor from various entities to the Office*
19 *of the Governor, including advisors for guidance on environmental*
20 *policy, not to exceed \$3,260,000 and 21.0 positions on a full-year*
21 *basis.*

22 (2) *State Clearinghouse and Planning Unit for the California*
23 *Environmental Quality Act, from the Office of Planning and*
24 *Research to the State Air Resources Board.*

25 (3) *California Volunteers, from Office of Planning and Research*
26 *to the Department of Housing and Community Development.*

27 (4) *Census-related activities from Office of Planning and*
28 *Research to the Department of Finance.*

29 (5) *Pass-through of federal stimulus funds, from Office of*
30 *Planning and Research to the Department of Finance and the*
31 *Office of Governor.*

32 (6) *Office of Privacy Protection, from Secretary of State and*
33 *Consumer Services to the Department of Consumer Affairs.*

34 (7) *Uniform film permits, from the Secretary of Business,*
35 *Transportation and Housing to the Department of Parks and*
36 *Recreation.*

37 (8) *Film tax credit administration, from the Secretary of*
38 *Business, Transportation and Housing to the Department of*
39 *Housing and Community Development.*

1 (9) *Office of Tourism, from the Secretary of Business,*
2 *Transportation and Housing to the Department of Housing and*
3 *Community Development.*

4 (10) *Small Enterprise Expansion Program, from the Secretary*
5 *of Business, Transportation and Housing to the Department of*
6 *Housing and Community Development.*

7 (11) *California Infrastructure and Economic Development Bank,*
8 *from the Secretary of Business, Transportation and Housing to*
9 *the Department of Housing and Community Development.*

10 (12) *Centralized departmental functions, from the Secretary for*
11 *Environmental Protection to the Department of Toxic Substances*
12 *Control for coordination.*

13 (13) *Certified Unified Program Agency, from the Secretary for*
14 *Environmental Protection to the Department of Toxic Substances*
15 *Control.*

16 (14) *California River Parkways Program, from the Secretary*
17 *of the Natural Resources Agency to the Department of Water*
18 *Resources.*

19 (15) *San Joaquin River Restoration program, from the Secretary*
20 *of the Natural Resources Agency to the Department of Water*
21 *Resources and Department of Fish and Game based on their*
22 *existing roles.*

23 (16) *CALFED Science program, from the Secretary of the*
24 *Natural Resources Agency to the Department of Water Resources.*

25 (17) *Oceans program, from the Secretary of the Natural*
26 *Resources Agency to the State Coastal Conservancy.*

27 (18) *Strategic growth program, from the Secretary of the Natural*
28 *Resources Agency to the State Air Resources Board.*

29 (19) *Office of Health Information Integrity, from the Secretary*
30 *of California Health and Human Services to the State Department*
31 *of Health Care Services.*

32 (20) *Office of Systems Integration, from the Secretary for*
33 *California Health and Human Services to the Office of the State*
34 *Chief Information Officer.*

35 (21) *Health Information Exchange, from the Secretary of*
36 *California Health and Human Services to the State Department*
37 *of Health Care Services.*

38 (22) *Employer and Employee Education, from the Labor and*
39 *Workforce Development Agency to the Department of Industrial*
40 *Relations.*

1 (23) *Labor law enforcement oversight, including functions of*
2 *the Economic and Employment Enforcement Coalition, from the*
3 *Labor and Workforce Development Agency to the Department of*
4 *Industrial Relations.*

5 (24) *California Business Investment Services, from the Labor*
6 *and Workforce Development Agency to the California Workforce*
7 *Investment Board.*

8 (25) *Economic Strategy Panel from the Labor and Workforce*
9 *Development Agency to the California Workforce Investment*
10 *Board.*

11 (c) *Notwithstanding any other provision of law, any functions*
12 *not described in subdivision (b) that are performed by the entities*
13 *described in subdivision (a) shall be eliminated as of January 1,*
14 *2010, and any budgeted funds for eliminated functions shall, on*
15 *February 1, 2010, revert to the fund from which the appropriations*
16 *were made. It is the intent of the Legislature that at least*
17 *\$6,000,000 shall revert to the General Fund, and \$16,000,000*
18 *shall revert to other funds. In implementing this section, the*
19 *Legislature encourages the Governor to identify additional savings*
20 *that can be achieved through administrative efficiencies or*
21 *elimination of duplicative efforts.*

22 (d) *Pursuant to the authority in subdivision (a) of Section 13.25,*
23 *the Director of Finance is authorized to transfer any funds from*
24 *an eliminated entity to an entity listed in subdivision (b) in order*
25 *to facilitate the transition of spending authority.*

26 (e) *The Director of Finance shall, on or before February 1,*
27 *2010, report to the fiscal committees of each house of the*
28 *Legislature and the Legislative Analyst's Office on the elimination*
29 *of the entities described in subdivision (a). The report shall include*
30 *a summary of the functions moved and functions eliminated. This*
31 *summary shall include associated dollars by fund source and*
32 *positions for the 2009–10 fiscal year and as to be proposed for*
33 *the 2010–11 fiscal year. The report may also include any proposed*
34 *legislation related to the elimination of each entity, lessons learned*
35 *from the transition process, or any other relevant information.*
36 *The director may satisfy this reporting requirement, at his or her*
37 *option, by presenting the report with materials presented with the*
38 *Governor's budget issued on or before January 10, 2010.*

39 SEC. 546. *Section 15.30 is added to the Budget Act of 2009,*
40 *to read:*

SEC. 15.30. (a) Notwithstanding any other provision of law, the Director of Finance may reduce items of appropriation in this act to reflect information technology and related savings achieved by state agencies, as identified by the State Chief Information Officer pursuant to the Governor's Reorganization Plan No. One of 2009 or Section 11545 of the Government Code. It is the intent of the Legislature that the reductions authorized by this section total at least \$100,000,000 for General Fund items of appropriation; however, in achieving these and other savings, the State Chief Information Officer shall take no action with respect to IT budgets or projects that might reasonably be anticipated to cause a significant reduction in General Fund revenue collections.

(b) The Director of Finance shall report the reductions in writing to the Chairperson of the Joint Legislative Budget Committee and the chairpersons of the committees of each house of the Legislature that consider appropriations not more than 30 days after the reductions are made. The report shall list the reductions by department and agency.

SEC. 547. Section 17.00 of the Budget Act of 2009 is amended to read:

SEC. 17.00. The Budget Act of 2009 includes ~~\$47,828,000~~ ~~(\$14,166,000~~ \$49,697,000 (~~\$14,686,000~~ from the General Fund, ~~\$28,218,000~~ \$29,567,000 from federal funds, \$930,000 from special funds, and \$4,514,000 from reimbursements) for applicant state agencies, departments, boards, commissions, or other entities of state government in support of federal Health Insurance Portability and Accountability Act (HIPAA) of 1996 activities. These funds are allocated to the following entities:

California Health and Human Services Agency	
General Fund.....	2,611,000
Reimbursements.....	1,584,000
Public Employees' Retirement System	
Special Funds.....	247,000
Office of Statewide Health Planning and Development	
Special Funds.....	111,000
Department of Aging	
General Fund.....	12,000
Reimbursements.....	12,000
Department of Alcohol and Drug Programs	

1	General Fund.....	787,000
2	Reimbursements.....	920,000
3	Department of Health Care Services	
4	General Fund.....	8,571,000
5	Federal Funds.....	28,158,000
6	General Fund.....	9,091,000
7	Federal Funds.....	29,507,000
8	Reimbursements.....	26,000
9	Department of Public Health	
10	Special Funds.....	551,000
11	Managed Risk Medical Insurance Board	
12	General Fund.....	27,000
13	Special Funds.....	21,000
14	Federal Funds.....	60,000
15	Department of Developmental Services	
16	General Fund.....	887,000
17	Reimbursements.....	800,000
18	Department of Mental Health	
19	General Fund.....	1,146,000
20	Reimbursements.....	1,172,000
21	Department of Veterans Affairs	
22	General Fund.....	125,000

23
24 SEC. 548. Section 17.50 is added to the Budget Act of 2009,
25 to read:

26 SEC. 17.50. The amount appropriated in Item 4170-101-0001
27 of Section 2.00 is hereby reduced by \$9,483,000.

28 SEC. 549. Section 17.80 is added to the Budget Act of 2009,
29 to read:

30 SEC. 17.80. (a) The amount appropriated in Item
31 4200-001-0001 of Section 2.00 is hereby reduced by \$418,000.

32 (b) The amount appropriated in Item 4200-102-0001 of Section
33 2.00 is hereby reduced by \$1,671,000.

34 (c) The amount appropriated in Item 4200-103-0001 of Section
35 2.00 is hereby reduced by \$29,837,000.

36 SEC. 550. Section 18.00 is added to the Budget Act of 2009,
37 to read:

38 SEC. 18.00. (a) The amount appropriated in Item
39 4260-101-0001 of Section 2.00 is hereby reduced by
40 \$2,766,088,000.

1 (b) Schedule (7) of Item 4260-101-0001 of Section 2.00 is hereby
2 deleted.

3 (c) Provision 13 is added to Item 4260-101-0001 of Section
4 2.00, to read:

5 13. It is the intent of the Legislature to actively pursue the
6 receipt of federal funds within the Medicaid (Medi-Cal) Program
7 which are past due from the federal government, including, but
8 not limited to: (a) disability insurance benefits that resulted in
9 state expenditures instead of federal Medicare expenditures, (b)
10 the retroactive payment of Part B premiums due to systemic errors
11 by the federal Social Security Administration, (c) needed
12 adjustments to formulas that penalize California, such as the
13 Medicare Part D “clawback,” and (d) receipt of federal funds due
14 to California under various existing Medi-Cal waiver programs.

15 (d) The amount appropriated in Item 4260-111-0001 of Section
16 2.00 is hereby reduced by \$4,303,000.

17 (e) Provision 3 is added to Item 4260-111-0001 of Section 2.00,
18 to read:

19 3. The State Department of Health Care Services shall convene
20 a diverse workgroup as applicable that, at a minimum, represents
21 families enrolled in the California Children’s Services (CCS)
22 Program, counties, specialty care providers, children’s hospitals,
23 and medical suppliers to discuss the administrative structure of
24 the CCS Program, including eligibility determination processes,
25 the use and content of needs assessment tools in case management,
26 and the processes used for treatment authorizations. The purpose
27 of this workgroup will be to identify methods for streamlining,
28 administrative cost-efficiencies, and better utilization of both state
29 and county staff, as applicable, in meeting the needs of children
30 and families accessing the CCS Program. The department may
31 provide the policy and fiscal committees of each house of the
32 Legislature with periodic updates of outcomes as appropriate.

33 (f) The amount appropriated in Item 4260-113-0001 of Section
34 2.00 is hereby reduced by \$47,265,000.

35 SEC. 551. Section 18.10 is added to the Budget Act of 2009,
36 to read:

37 SEC. 18.10. (a) The amount appropriated in Item
38 4265-001-0001 of Section 2.00 is hereby reduced by \$6,981,000.

39 (b) The amount appropriated in Item 4265-111-0001 of Section
40 2.00 is hereby reduced by \$62,967,000.

(c) Provision 2 is added to Item 4265-111-0001 of Section 2.00, to read:

2. It is the intent of the Legislature that the funds appropriated in this item be used to maintain core active surveillance activities to meet federal reporting requirements and to continue HIV/AIDS prevention and education efforts for which federal funds are not available.

SEC. 552. Section 18.20 is added to the Budget Act of 2009, to read:

SEC. 18.20. (a) The amount appropriated in Item 4280-101-0001 of Section 2.00 is hereby reduced by \$71,581,000.

(b) Provision 2 is added to Item 4280-101-0001 of Section 2.00, to read:

2. It is the intent of the Legislature, during these unprecedented fiscal times, to maintain the integrity of the Healthy Families Program to continue to provide health, dental, and vision coverage to low-income children. However, assistance from philanthropic organizations and other sources will be necessary in order for California to obtain its full allotment of federal funds to support this program. In the event funds are not available, it is the intent of the Legislature for the Managed Risk Medical Insurance Board to utilize its existing authority to establish a waiting list of children for enrollment in the program.

(c) The amount appropriated in Item 4280-102-0001 of Section 2.00 is hereby reduced by \$3,046,000.

SEC. 553. Section 18.30 is added to the Budget Act of 2009, to read:

SEC. 18.30. The amount appropriated in Item 4300-101-0001 of Section 2.00 is hereby reduced by \$214,828,000.

SEC. 554. Section 18.40 is added to the Budget Act of 2009, to read:

SEC. 18.40. (a) The amount appropriated in Item 4440-001-0001 of Section 2.00 is hereby reduced by \$8,447,000.

(b) The amount appropriated in Item 4440-103-0001 of Section 2.00 is hereby reduced by \$113,380,000.

(c) The amount appropriated in Item 4440-104-0001 of Section 2.00 is hereby reduced by \$52,000,000.

(d) (1) Provision 1 of Item 4440-104-0001 of Section 2.00 is hereby deleted.

(2) *Provision 3 is added to Item 4440-104-0001 of Section 2.00, to read:*

3. These funds are for costs incurred in the 2006–07, 2007–08, 2008–09, and 2009–10 fiscal years. The first priority of funds appropriated in this item shall be used to offset the mandate reimbursement claims for the 2006–07 fiscal year. Remaining funds may be used to offset the mandate reimbursement claims for the 2007–08, 2008–09, and 2009–10 fiscal years.

(e) The amount appropriated in Item 4440-111-0001 of Section 2.00 is hereby reduced by \$3,547,000.

SEC. 555. Section 18.50 is added to the Budget Act of 2009, to read:

SEC. 18.50. (a) The amount appropriated in Item 5180-001-0001 of Section 2.00 is hereby reduced by \$7,748,000.

(b) Provision 9 of Item 5180-001-0001 of Section 2.00 is hereby deleted.

(c) The amount appropriated in Item 5180-101-0001 of Section 2.00 is hereby reduced by \$615,501,000.

(d) The amount appropriated in Item 5180-111-0001 of Section 2.00 is hereby reduced by \$532,134,000.

(e) Schedule (5) of Item 5180-111-0001 of Section 2.00 is hereby deleted.

(f) The amount appropriated in Item 5180-153-0001 of Section 2.00 is hereby reduced by \$16,421,000.

SEC. 556. Section 24.60 is added to the Budget Act of 2009, to read:

SEC. 24.60. Each state entity receiving lottery funds shall annually report to the Governor and the Legislature on or before May 15 the amount of lottery funds that the entity received and the purposes for which those funds were expended in the prior fiscal year, including administrative costs. The Department of Education shall report on behalf of K–12 entities. If applicable, the entity shall also report the amount of lottery funds received on the basis of adult education average daily attendance (ADA) and the amount of lottery funds expended for adult education.

SEC. 557. Section 24.65 of the Budget Act of 2009 is repealed.

~~*SEC. 24.65. (a) Notwithstanding any other provision of law, the Director of Finance is authorized to repay General Fund budgetary obligations, infrastructure bond debts, and the Economic Recovery Bonds, including reimbursement to the General Fund*~~

for these costs, in the 2009–10 fiscal year from the Debt Retirement Fund, pursuant to Government Code Section 8880.4.5.

(b) Expenditures and reimbursements authorized by this section will result in overall General Fund savings. It is not the intent of the Legislature in enacting this section to provide additional expenditure authority to state programs.

SEC. 558. Section 25.25 is added to the Budget Act of 2009, to read:

SEC. 25.25. Notwithstanding any other provision of law, a sum not to exceed \$15,200,000 is appropriated from various special and nongovernmental cost funds and reimbursements to the Controller for payment of costs to support the replacement of the existing automated human resource/payroll systems known as the 21st Century Project. The Controller shall assess these funds in sufficient amounts to pay for the authorized 21st Century Project costs that are attributable to such funds pursuant to Section 12432 of the Government Code. Assessments in support of the expenditures for the 21st Century Project shall be made quarterly and the total amounts assessed from these funds in the 2009–10 fiscal year shall not exceed the total expenditure incurred by the Controller for the 21st Century Project that are attributable to those funds in the 2009–10 fiscal year.

SEC. 559. Section 25.50 of the Budget Act of 2009 is amended to read:

SEC. 25.50. Notwithstanding any other provision of law, an amount not to exceed ~~\$822,000~~ \$770,000 is hereby appropriated from various funds to the Controller, as specified below, for reimbursement of costs for the ongoing maintenance and support of the Apportionment Payment System:

0046	Public Transportation Account	\$ 18,000
		\$ 16,000
0062	Highway Users Tax Account	282,000
		265,000
0064	Motor Vehicle License Fee Account	16,000
		15,000
0330	Local Revenue Fund	93,000
		87,000
0877	DMV Local Agency Collection Fund	2,000
		2,000

1	0932 Trial Court Trust Fund	161,000
2		151,000
3	0965 Timber Tax Fund	1,000
4	0969 Public Safety Account	249,000
5		233,000
6	Total, All Funds	\$822,000
7		\$770,000

8
9 The Controller shall assess these funds for the costs of the
10 Apportionment Payment System because apportionment payments
11 in excess of \$10,000,000 are made annually from these funds.
12 Assessments in support of the expenditures for the Apportionment
13 Payment System shall be made monthly, and the total amount
14 assessed from these funds may not exceed the total expenditures
15 incurred by the Controller for the Apportionment Payment System
16 for the 2009–10 fiscal year.

17 *SEC. 560. Section 35.50 of the Budget Act of 2009 is amended*
18 *to read:*

19 SEC. 35.50. (a) For purposes of paragraph (1) of subdivision
20 (f) of Section 10, and subdivision (f) of Section 12, of Article IV
21 of the California Constitution, “General Fund revenues” means
22 the total resources available to the General Fund for a fiscal year
23 before any transfer to the Budget Stabilization Account.

24 (b) For purposes of subdivision (f) of Section 12 of Article IV
25 of the California Constitution, “all appropriations from the General
26 Fund for that fiscal year” shall not include any transfer to the
27 Budget Stabilization Account to retire Economic Recovery Bonds
28 because that amount is reflected in the “amount of any General
29 Fund moneys transferred to the Budget Stabilization Account.”

30 (c) For purposes of subdivision (f) of Section 12 of Article IV
31 of the California Constitution, the estimate of General Fund
32 revenues for the 2009–10 fiscal year pursuant to this act, as passed
33 by the Legislature, is ~~\$98,567,200,000~~ \$93,244,800,000.

34 (d) For purposes of subdivision (b) of Section 20 of Article XVI
35 of the California Constitution, General Fund revenues shall be
36 defined as revenues and transfers before any transfer to the Budget
37 Stabilization Account, excluding any proceeds from Economic
38 Recovery Bonds, as estimated in the enacted State Budget.

39 *SEC. 561. This act is an urgency statute necessary for the*
40 *immediate preservation of the public peace, health, or safety within*

1 *the meaning of Article IV of the Constitution and shall go into*
2 *immediate effect. The facts constituting the necessity are:*
3 *This act makes revisions in appropriations for the support of*
4 *the government of the State of California and for several public*
5 *purposes for the 2009–10 fiscal year. It is imperative that these*
6 *revisions be made effective as soon as possible. It is therefore*
7 *necessary that this act go into immediate effect.*

O